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OFFICIAL WEEK IN REVIEW

April 21—

THE PRESIDENT appointed Judge Mariano V. Agcaoili of the Court of First Instance of Manila as associate justice of the Court of Appeals. He will take the place of Justice Ruperto G. Martin who was elevated recently to the Supreme Court by the President. One of the ablest judges in the Manila CFI, Justice Agcaoili has been dubbed "the fastest gavel among Manila judges in 1974."

MONETARY Board has given rural banks broader powers and wider scope of operations by allowing them to invest in allied undertakings such as warehousing, processing mills, drying facilities and storage companies. Rural banks may make equity investments in companies organized for these undertakings provided that such business are for agricultural production or other agricultural purposes. However, the Central Bank laid down a set of guidelines covering the investment of rural banks in such allied undertakings. It shall not be allowed to invest in an allied undertaking if a stockholder or group of stockholders owning more than 20 per cent of the voting stock of the rural bank owns or controls directly or indirectly (within the third degree of consanguinity or affinity) 30 per cent or more of the voting stock of the allied undertaking, except as may otherwise be authorized by the monetary board.

HEALTH Secretary Clemente S. Gatmaitan underscored the need for a continuing process of updating and upgrading the competency of the country's medical practitioners. Speaking before the graduating class of the UP postgraduate circuit course at Tacloban City, Secretary Gatmaitan said this continuous process is needed in view of the rapid and tremendous expansion of medical knowledge that resulted in major changes in the management of disease. He added this process could not only be a continuous education. The health secretary said it is in the light of this consideration that the department of health has always supported proposals on programs designed to provide continuing medical education. He said the department has already arranged for the holding of postgraduate courses, scientific meetings, seminars and similar activities in collaboration with various government and private agencies, including the training courses organized for specialty groups like anesthesiologists, radiologists, surgeons, dentists and other disciplines.

THE PHILIPPINES now occupies the ninth position among the world's major flu-cured tobacco producers and is the fifth biggest flu-cured tobacco producer in Asia, registering a total production of 65.7 million pounds in 1974, according to the Philippine Virginia Tobacco Administration (PVTA). Quoting from the latest issue of the Foreign Agriculture circular, PVTA Chairman-General Manager Federico B. Moreno said that outside the United States, important upward trends in burley production are occurring in Italy, the Republic of Korea, Mexico, Japan the Philippines, Argentina and Yugoslavia. The same publication, Moreno said, reported a slump in the production of cigar tobacco as a result of a lower Philippine tobacco crop last year.

FOREIGN Corporations which enter into mining service contracts with local groups must pay the latter 60 per cent of the proceeds of production after deducting costs and expenses. This was the official ruling handed down by the Securities and Exchange Commission as it rejected the royalty scheme as basis for payment of the operation by a foreign firm of a Philippine mine. The ruling, unless reversed by higher authorities, becomes the implementing government policy for the exploration, development, exploitation and utilization of the country's natural resources under the service contracts authorized by the new Constitution and Presidential Decree No. 151.

BOARD of Investments Chairman Vicente T. Paterno defended raw material producing nations' aspirations to form commodity unions by saying that such organizations are advantageous to both producing and consuming nations. Brushing aside charges of some consuming nations that commodity unions are actually "cartels", Chairman Paterno said, "I maintain that such associations (commodity unions) should be encouraged rather than dissuaded."

THE PHILIPPINES is making a strong bid for the inclusion of most of its export products to the United States for duty-free treatment under the US Generalized System of Preference (GSP). Secretary of Trade Troadio T. Quiazon Jr. directed the Bureau of Foreign Trade to prepare a list of Philippine products for inclusion in the GSP. The additional products recommended for GSP eligibility consisted of leaf tobacco, coconut oil, cordage, abaca placements and tablemats, tuna, fruit mixtures, fruit peels, pineapple juice, scrap tobacco, cigars and cheroots, lace net articles and other furnishings.

April 22—

THE PRESIDENT said that the transfer of political responsibility for the Muslim areas into Muslim hands is the most important solution initiated by the government in dealing with the Mindanao situation. The Chief Executive made this statement before some 400 officials of the Department of Education and Culture and superintendents of public, private and vocational schools, who called at Malacañang to renew their pledge of loyalty to the President and all-out support to the goals of the New Society. The President said he had created the Southern Philippines Development Administration to take the place of all the agencies involved in the rehabilitation and development of the South, such as the National Integration Commission, Mindanao Development Authority, Special Program of Assistance for Returned Evacuees (SPARE), and the Presidential Task Force for the Rehabilitation of Mindanao. He also said he had accepted the resignations of the governor of Sulu and governors of Lanao del Norte and Lanao del Sur. In place of the governor of Lanao del Sur, the President said he had appointed Brig. Gen. Mamarinta Lao. In addition, the President said he had relieved the mayors of Salvador, Sapad and Magsaysay, Lanao del Sur, who had abused their power by taking over Muslim lands. In this way, the President said, government offices will be run by Muslims themselves in the areas where they live.

JUSTICE Department ruled that an erring government officer or employee found guilty of administrative charges does not necessarily forfeit his right to retirement and other benefits so long as the penalty he incurs is less than dismissal or removal from office. Acting Justice Secretary Catalino Macaraig issued the ruling in response to a request for opinion made by Agriculture Secretary Arturo Tanco Jr. The request concerned a government official who was administratively charged but who, during the pendency of the formal hearing against him, reached the compulsory retirement age of 65 years.

April 23—

CLIMAX of the Zamboanga Peace Conference was the meeting between the Filipino Muslim leaders and former rebel commanders at Malacañang on April 21, 1975. The highlight of the meeting was the declaration of the President that "henceforth, the responsibility and authority in Southern Philippines, particularly in the Muslim communities, shall be transferred and delegated to Filipino Muslims." This is in accordance with the constitutional and New Society policy on local autonomy. In line with this pronouncement, the President announced that the eleven (11) regional divisions of the whole country under PD No. 224, dated June 22, 1972 shall be modified. Under this set-up, all the regional centers are in non-Muslim cities. The President ordered that two regions shall be organized, namely: 1) Lanao del Norte, Lanao del Sur, Maguindanao and Sultan Kudarat as Central Mindanao region with the regional center at Cotabato City; and 2) Sulu, Tawi-Tawi, Basilan, Zamboanga del Sur and Zamboanga del Norte as Southern Mindanao region with regional capital at Jolo, Sulu. The objectives of this regional re-organization is to group together economically contiguous areas in accordance with their cultural groups and historic associations. The establishment of regional centers in Muslim areas is to insure the development of the Muslim areas and greater national attention to local needs.

THE PRESIDENT called on the private sector to join hands with the government in providing the optimum level of medical care services for the people. The President issued the appeal in a speech read for him by Secretary Clemente S. Gatmaitan of Health, at the opening of the 68th annual convention of the Philippine Medical Association, at the University of Sto. Tomas. The President pointed out that when the reform program was launched to provide every man his measure of justice, peace and dignity, "we aimed not merely at the distribution of material benefits but of social benefits as well." The President expressed confidence that jointly, the government and the private sector can accomplish more and that, therefore, the cooperation of the two sectors which has been successful in the past, shall continue for the sake of the country and the people.

SUSPENSION of the issuance of any titles or granting of any rights to any portion of land within the former naval reservation in the Ternate-Naic-Looc area in Cavite was ordered by the President because the initial survey reports show that the former US naval reservation, which was transferred to the Philippine government, has been encroached upon by private claimants, some of whom have obtained titles. The President ordered a general review to be undertaken for the purpose of determining the validity of such titles and claims. Titles or rights obtained by fraud will be reviewed and proceedings undertaken for their immediate cancellation. The participation of any employee in any branch of the government shall be investigated and all the parties found guilty of fraud shall be prosecuted.

THE PRESIDENT returned the power to give appropriate examination for public school teachers to the Civil Service Commission by amending provisions of Republic Act No. 6040. He made the announcement before some 400 school superintendents and officials, who made a courtesy call at Malacañang. Under Section 9 of R.A. 6040 of August 4, 1969, the Department of Education and Culture was given sole power to conduct appropriate examinations for public school teachers "with the assistance of the Civil Service Commission." Accordingly, the President issued Presidential Decree No. 688 returning such power to the CSC by amending Section 9, paragraph 7 of R.A. 6040 which amended section 23 of R. A. 2260, "insofar as the teachers' examinations are concerned," and

all provisions of other acts and decrees inconsistent with the provisions of the new decree. In issuing the decree, the President said the move was necessary "to give meaning and substance to Articles 11 (1) and (B) of the new Constitution. Besides, the President pointed out in the decree, the CSC has better facilities than the DEC, to give appropriate examinations for public school teachers.

THE PRESIDENT ordered the accommodation of an additional 300 qualified applicants for the National Integrated Study Grant for the coming school year. This increases the number of scholars under the scholarship program of the Commission on National Integration, from 4,000 to 4,300 for the school year 1975-1976 under Letter of Instructions No. 271 authorizing the increase in the number of CNI scholars. The President also directed that such grantee receive an allowance not exceeding ₱1,500 yearly during the prescribed period of grant, or ₱150 monthly, exclusive of tuition and other school fees. The President directed the budget commissioner to release the necessary funds so that the LOI can be implemented immediately. The LOI underscores the importance which the President attaches to the extension of all available opportunity to deserving members of the cultural minorities to acquire the benefits of education so that they can become useful members of society.

FINANCE Secretary Cesar Virata abolished the special committee on claims for reward in the finance department and replaced it with an inter-agency committee. The creation of the new committee was embodied in Department Order No. 11-75 to facilitate the processing of reward claims in the department and the various bureaus and offices under it. Secretary Virata directed the old special committee on claims for reward to turn over all its records to the new inter-agency committee.

OFFICE of the Solicitor General said that aliens residing in the provinces will have to come to Manila if they wish to apply for naturalization decree. Judge Hugo R. Gutierrez Jr. of the OSG said the applicant's presence is necessary because he has to be interviewed by the processing officers. He is also required to affix his thumbmark and to swear and subscribe to all statements he makes in his application. The interview of provincial applicants will be given priority so that their stay in the city will not be unduly prolonged, Judge Gutierrez said.

BOARD of Investments (BOI) ruled that only BOI-registered knitting and textiles companies will be allowed by the Central Bank to import machineries and equipment. The ruling made by the investment body was an offshoot of a complaint filed with the Central Bank by Textile Manufacturers Association of the Philippines (TMAP). It petitioned the Central Bank to temporarily stop dollar allocations for local textile and knitting mills to prevent the entry into the country of used and new knitting machineries and equipment. It claims that "the industry is already suffering from overcapacity." The CB, acting on their petition, asked the BOI to adopt the guidelines to be implemented by the CB regarding the dollar allocations of applicant textile firms.

April 24—

THE PRESIDENT proposed the formation of a continuing organization of Asian States, as a step to an integrated regional plan of development. The President advanced the proposal in his keynote address during the opening ceremonies of the Eighth Annual Meeting of the Board of Governors of the Asian Development Bank at the Cultural Center of the Philippines. The President said such organization, which may be called the Organization for Asian Unity or Organization of Asian States, may operate on a broad scope and act as a guarantee that none shall

develop at the expense of others, and that benefits shall be enjoyed by all. In his speech, he also set the tone of the meeting by suggesting that the ADB come up with a fresh new vision so that it will become an instrument of reconstruction and rebuilding of nations and the region.

PRESIDENT Suharto of Indonesia is anxious for an early ministerial meeting among members of the Association of Southeast Asian Nations (ASEAN) that can facilitate an ASEAN summit. This was the report of the First Lady to the President on her return from Indonesia where she attended the inauguration of the "Indonesia Indah" upon the invitation of the Indonesian First Lady, Madame Suharto. The President had taken advantage of the visit by sending a personal message to President Suharto proposing a summit meeting among the ASEAN heads of state in the light of recent developments in Indo-China and the rest of Asia.

April 25—

THE PRESIDENT met with the executive committee of the Foreign Policy Council in the light of recent developments in Asia. At the meeting which was held at Malacañang, the Foreign Policy Council reviewed the three existing military agreements between the Philippines and United States with particular emphasis on the bases agreement and recommended to the President that the *status quo* is no longer tenable in the light of the present realities. The Council, presided over by the President, received and discussed extensive studies from the Department of Foreign Affairs, Department of National Defense, and the Philippine Center for Advance Studies, all of which recommended several alternatives with respect to the bases agreement. The Council also agreed to widen its consultations with the various sectors of society including academicians, students, youth, civic, and business groups. The President reiterated his statement that national survival dictates the urgent review of the agreements and the adoption of the only alternative that best serves the national interest. He expressed confidence that as an old ally, the US would not fail to appreciate the position of the Philippine government.

April 26—

THE PRESIDENT simplified the procedure for the transfer of unclaimed balances of 'idle' accounts in financial institutions to the government through Presidential Decree No. 679, which amends Act No. 3636. The simplification was made, among other things, to reduce the cost of publication in newspapers of general circulation of sworn statements of these unclaimed balance prior to their transfer to the government. The President noted that publication costs in the last few years have increased and are sometimes more than the aggregate amount of the unclaimed balances to be escheated.

INFORMATION Secretary Francisco S. Tatad stressed the need for a suitable program of development to harness talents in science and technology for the country's economic development. Secretary Tatad sounded this call during a speech at the symposium jointly sponsored by the Philippine Association of Physicists, the Mathematical Society of the Philippines and the Southeast Asian Mathematical Society at the Benilda Hall of the De La Salle College on Taft Avenue, Manila. He said that the government, as an incentive, is giving active assistance to qualified mathematicians and physicists in order to develop a corps of scientists in the country. Secretary Tatad assured the representatives of the different science organizations that with the main thrust of the government in scientific endeavours, and through the mutual cooperation of both these organizations and the private sectors, scientists will contribute more to the growth, development and prosperity of the country.

**MGA KAUTUSANG TAGAPAGPAGANAP, PAHAYAG AT
KAUTUSANG PANGPANGASIWAAN**

(EXECUTIVE ORDERS, PROCLAMATIONS AND
ADMINISTRATIVE ORDERS)

MALACAÑANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

LETTER OF INSTRUCTIONS No. 274

**To.: ALL HEADS OF DEPARTMENTS, AGENCIES
AND OFFICES OF THE GOVERNMENT AND
OTHERS CONCERNED.**

SUBJECT: Amending par. 1 of LOI No. 262, re Submission
by Public Officers of Statement of Assets, Liabilities,
and Net Worth as of December 31, 1974.

In line with the government policy to hold public officers accountable in accordance with their degree of responsibility and for purposes of manageability, paragraph 1 of Letter of Instructions No. 262 dated March 31, 1975 is hereby amended to read as follows:

"1. Every public officer shall prepare and file, in the prescribed form (Annex "A" a sworn statement of assets, liabilities and net worth as of December 31, 1974, which shall include the assets, liabilities and net worth of the spouse and unmarried children below twenty-one years of age as of that date; Provided, That every public officer who is—

- a. A chief of Section or above; or
- b. occupying a position allocated to range 51 or above, whether chief of section or not; or
- c. holding the rank of sergeant or above, in case of the military or
- d. **HOLDING THE RANK OF SERGEANT (OR EQUIVALENT THERETO) OR ABOVE IN THE CASE OF A LAW ENFORCEMENT AGENCY OF THE GOVERNMENT.**

shall prepare and file, in the prescribed form (Annex "B"), a sworn comparative statement of assets, liabilities and net worth, as provided in Paragraph 2 hereof, which shall also include the assets, liabilities and net worth of the spouse and unmarried children below twenty-one years of age."

Done in the City of Manila, this 9th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) **FERDINAND E. MARCOS**
President
Republic of the Philippines

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE No. 690

CREATING THE SOUTHERN PHILIPPINES DEVELOPMENT ADMINISTRATION AND ABOLISHING THE COMMISSION ON NATIONAL INTEGRATION, THE MINDANAO DEVELOPMENT AUTHORITY, THE PRESIDENTIAL TASK FORCE FOR THE RECONSTRUCTION AND DEVELOPMENT OF MINDANAO, AND THE SPECIAL PROGRAM OF ASSISTANCE FOR THE REHABILITATION OF EVACUEES (SPARE), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

WHEREAS, it is the policy of the Government to foster and accelerate the balanced growth of the Mindanao, Sulu archipelago and Palawan for the national economic, social and political stability;

WHEREAS, surveys and studies indicate a pressing need to accelerate the socio-economic growth and development of the region to make it more responsive to the national plans and policies within the context of national solidarity with the leadership, support and total commitment of the government;

WHEREAS, it is further recognized that, ultimately, sustained development of the region will rely heavily on the capabilities of the people of the area to participate in the total effort in undertaking integrated development projects under one authoritative agency;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution do hereby order and decree as part of the law of the land, the creation of the Southern Philippines Development Administration as follows:

SECTION 1. *Declaration of Policy*.—It is hereby declared the policy of the Government to foster and accelerate the balanced growth of Mindanao, Sulu archipelago and Palawan, within the context of national plans and policies, by the activation of mass participation in the processes of development to be exercised through a unified responsive agency; democratization of opportunity for improvement and maximization of benefits in the utilization and allocation of all the resources that may be available.

SEC. 2. *Creation of the Southern Philippines Development Administration*.—There is hereby created a body corporate to be known as the Southern Philippines Development Administration, hereinafter referred to as the

"Administration" which shall be governed by the provisions of this Decree. Generally, the Administration shall be the agency of the government which shall be responsible for the initiation and/or implementation of development projects in such areas or fields where other government offices have not taken action or have failed to take effective positive action under such arrangements as may be agreed upon between the office or agency concerned and the Administration. Pending such arrangement or in case of conflict, the Administration may proceed to undertake the project subject to prior approval of the President of the Philippines upon recommendation of the NEDA.

The Administration shall exercise the powers and functions provided in this Decree in close coordination with the Regional Development offices of the National Economic and Development Authority and of the different Executive Departments for the alignment and integration of its programs and projects with the national development plans. For this purpose, the Administration shall coordinate with NEDA for policy formulation.

SECTION 3. *Principal Office; Term.*—The principal office of the Administration shall be in Davao City. It may, however, establish such branches, subsidiaries, offices or agencies as it may deem proper and necessary for the attainment of the objectives of this Decree. The Administration shall have a term of fifty years from the issuance hereof, renewable for the same period unless otherwise provided by law.

SEC. 4. *Purposes.*—The Administration shall have the purposes and objectives given as follows:

a) Promote the development of Mindanao, sulu archipelago and Palawan by initiating and/or undertaking by itself or otherwise, development and/or business projects in social and/or economic fields whether in agriculture, power, infrastructure, education, energy, public utilities, housing, land development, manufacturing, exploring and/or utilization of natural resources and other fields or projects;

b) Generate and encourage mass active participation and cooperation of the members of national cultural communities in its activities which shall comprise, among others: manpower development; provision of material, financial or technical assistance; and initiation, development and/or implementation of projects given preference to cultural commodity groups, including programs designed for the immediate return, resettlement and rehabilitation of evacuees;

c) Initiate and undertake projects for the promotion of community life through organized social or economic

activities and institutionalized schemes of assistance and incentives; and

d) Make investments in any field as would enhance the socio-economic development of the region, the uplift of living standards of the people and their socio-political stability.

SEC. 5. *Corporate Powers*.—The Administration shall exercise the powers and perform the functions given as follows:

a) To succeed on its corporate name, with the power of succession.

b) To sue and be sued in such corporate name.

c) To adopt, alter and use a corporate seal, which shall be judicially noticed.

d) To undertake the programs and projects specified or envisioned under Section 4 hereof.

e) To make contracts of any kind and description to enable it to discharge its functions and attain the objectives provided in this Decree.

f) To adopt, amend and repeal its by-laws.

g) To acquire, lease or hold such personal and real property as it deems necessary or inconvenient in the transaction of its business and to lease out, mortgage, sell, alienate or otherwise dispose any such personal and real property held by it, but not to sell its properties and products for delivery or use outside of the Philippines without the approval of the President.

h) To hold, own, possess, lease, convey, mortgage agricultural lands.

i) To invest its funds as it may deem proper for the attainment of the objectives of this Decree provided that no funds of the Administration shall be invested in bonds or securities except those issued and guaranteed by the government.

j) To exercise the right of eminent domain in the name of the Republic of the Philippines, and in the acquisition of real estate by condemnation proceedings, the title to such real estate shall be taken in the name of the government to accomplish the aims and purposes of this Decree.

k) Whenever essential to the proper administration of its corporate affairs or necessary for the proper transaction of its business or to carry out the purposes of its organization, to contract indebtedness and issue bonds subject to the approval of the President, upon recommendation of the Secretary of Finance.

1) To charge and collect fees, dues, or other charges at reasonable rates for such services and/or facilities that may be provided by the Administration.

m) Determine its own organizational structure and revise the same as may be necessary for the effective undertaking of its powers and functions and attainment of its objectives.

SEC. 6. *Capitalization.*—The Administration shall have an authorized capital of Five hundred million pesos (P500,000,000.00) to be fully subscribed and paid by the Government of the Republic of the Philippines, to be appropriated out of any funds in the National Treasury not otherwise appropriated and/or from proceeds from loans and the issuance of bonds and other forms of evidences of indebtedness which are hereby authorized to be incurred or to be issued by the Secretary of Finance for the purpose; Provided, however, that the net assets of the Mindanao Development Authority and the Commission on National Integration as of the date of this Decree shall be considered as paid-in capital of the Government. The balance of the authorized capital of the Administration shall be paid as follows:

a) The amount programmed for release during the remaining period of Fiscal Year 1975 from the existing appropriations of the Mindanao Development Authority, the Commission on National Integration and the Presidential Task Force for Reconstruction and Development of Mindanao shall also form part of the authorized capital of the Administration.

b) The remaining balance shall be paid by the Government in the sum of P100 million beginning FY 1976 and annually thereafter until the entire authorized capital of the Administration shall have been paid in full.

SEC. 7. *Special Development Fund.*—All balances out of the existing appropriations for developmental purposes of the Mindanao Development Authority, the Commission on National Integration and the Presidential Task Force for the Reconstruction and Development of Mindanao transferred to the Administration as herein-below provided, and any additional appropriation that may be provided from time to time to the Administration for development purposes shall upon release thereof be credited to a Special Development Fund which is hereby created in the National Treasury such fund to be disbursed and expended by the Administration exclusively for the authorized purposes or projects envisioned under P.D. No. 290, as well as other existing laws, rules and regulations.

SEC. 8. *Operating Expenses.*—These is hereby appropriated the sum of One million pesos out of the funds in the National Treasury not otherwise appropriated for the operating costs of the Administration for the remaining period of Fiscal Year 1974-75. Thereafter and for subsequent fiscal year, the amount of Five million pesos shall

be provided in the General Appropriations Act to cover the operating expenses of the Administration.

SEC. 9. *Bond Issuance*—Whenever the Board of Directors may be deem it necessary for the Administration to incur an indebtedness or to issue bonds to carry out the provisions of this Decree, it shall, by resolution, so declare and state the purpose for which the proposed debt is to be incurred. In order that such resolution be valid, it shall be passed by the affirmative vote of at least a simple majority of all the members of such Board and approved by the President of the Philippines upon the recommendation of the Secretary of Finance, after consultation with the National Economic Development Authority and the Monetary Board of the Central Bank.

The bonds issued under this provisions shall in no case exceed the amount of Five Hundred Million Pesos (P500,000,000.00); Provided, that no single issue shall be made if eighty per centum of the immediately preceding issue is not yet sold.

The bonds shall be issued in such amounts as will be needed at any one time, taking into account the rate at which said bonds may be absorbed by the buying public and fund requirements of projects ready for execution, and considering further a proper balance between productive and non-productive projects so that inflation shall be held to a minimum.

SEC. 10. *Sinking Fund*—A sinking fund shall be established by the Administration in such manner that the total annual contributions thereto, accrued at such rate of interest as may be determined by the Secretary of Finance in consultation with the Monetary Board, shall be sufficient to redeem at maturity the bonds issued under the provisions of this Decree. Said fund shall be under the custody of the Central Bank of the Philippines, which shall invest the same in such manner as the Monetary Board may approve, charging all expenses of such investment to said sinking fund, and crediting the same with the interest on investments and other incomes accruing thereto.

SEC. 11. *Government Guarantee*—The Republic of the Philippines hereby guarantees the payment by the Administration of both the principal and interest on the bonds, debentures, collaterals, notes or such other obligations incurred by the Administration by virtue of the provisions of this Decree, and shall pay the said principal and interest in case the Administration fails to pay the same. The Secretary of Finance shall pay the amount thereof, to be appropriated from funds of the National Treasury not otherwise appropriated, and thereupon, to

the extent of the amount so paid, the Government of the Republic of the Philippines shall succeed to all the rights of the holders of such bonds debentures, collaterals, notes or other obligations, unless the amount be refunded by the Administration within a reasonable time.

SEC. 12. *Foreign Loans*—The Administration is hereby authorized to contract loans, credit and indebtedness, in any convertible foreign currency or capital goods from time to time from foreign governments or any international financial institutions or fund sources, the total outstanding amount of which, exclusive of interest charges, shall not exceed two hundred million US dollars or the equivalent thereof in other currencies at any one time on such terms and conditions as may be agreed upon.

The President of the Philippines, by himself, or through the Secretary of Finance or the Governor of the Central Bank, is hereby authorized to negotiate and contract with foreign governments or any international financial institutions, in the name and on behalf of the Administration, one or several loans, for the purpose of assisting in the reconstruction, or promoting the development, of the economy of the Mindanao, Sulu archipelago and Palawan region.

The President of the Philippines, by himself or through the Secretary of Finance or the Governor of the Central Bank, is hereby further authorized to guarantee, absolutely and unconditionally, as primary obligor and not as surety merely, in the name and on behalf of the Republic of the Philippines, the payment of the loan or loans herein authorized, as well as the performance of all or any of the obligations undertaken by the Administration in the territory of the Republic of the Philippines, pursuant to loan agreements entered into with foreign governments or any international financial institutions.

In the negotiation and contracting of any loan, credit or indebtedness under this section, the provision of Section Four of Republic Act Numbered Four Thousand Eight Hundred Sixty, as provided in section Five of Republic Act Numbered Six Thousand One Hundred Forty-Two, as amended, shall apply.

The loans, credits and indebtedness contracted under this subsection and the payment of the principal, interest and other charges thereon, as well as the importation of machinery, equipment, materials and supplies by the Administration, paid from the proceeds of any loan, credit or indebtedness incurred under this Decree, shall also be exempt from all taxes, fees, imposts, other charges and restrictions, including import restrictions imposed by the Republic of the Philippines, or any of its agencies and political subdivisions.

SEC. 13. *Board of Directors*—The powers and functions of the Administration shall be exercised by a Board of Directors composed of nine (9) members to be appointed by the President of the Philippines. The President of the Philippines shall likewise appoint the Chairman from among the members of the Board. The members of the Board shall have their respective alternates who shall attend the meetings of the Board shall have their respective alternates who shall attend the meetings of the Board in the absence or incapacity of the regular members. Such alternates shall have the same rights and privileges as the regular members, including per diems and allowances.

The members of the Board or their alternates shall receive a per diem of two hundred fifty pesos for every meeting of the Board attended, provided that in no case shall such per diems exceed one thousand pesos per month. They shall likewise be reimbursed by the Administration for actual expenses for traveling and subsistence allowances incurred in attending such meetings.

SEC. 14. *Organizational Structure*—The Board of Directors shall determine the organizational structure of the Administration and the officers thereof. The Board may reorganize the same and create or abolish divisions, offices, units, branches or agencies therein, as the exigencies of the affairs of the Administration may require.

SEC. 15. *Administrators*—The Administration shall have an Administrator, to be appointed by the President of the Philippines, who shall be the Executive Officer of the Administration on full-time basis. He may have such Deputy Administrator/s as the Board of Directors may decide, to be appointed by the latter.

The Administrator shall have the following powers, duties and responsibilities:

a) To prepare the agenda for the meetings of the Board and to submit for the consideration thereof the policies and measures, which in his judgment are necessary to carry out the purposes and provisions of this Decree.

b) To prepare the budget of the Administration for consideration by the Board.

c) To execute and administer the policies and measures approved by the Board.

d) To direct and supervise the operations and internal administration of the Administration. He may delegate certain administrative responsibilities to other officers of the Administration subject to the rules and regulations of the Board.

e) To prepare the plantilla and appoint all employees of the Administration except the heads of departments

and divisions, whose appointments shall be made by the Board of Directors upon his recommendation and to remove, dismiss or otherwise discipline for cause, such employees of the Administration; and

f) To exercise such other powers as may be vested in him by the Board.

The Administrator, who shall have a term of five (5) years unless sooner removed for cause, shall receive a compensation of Sixty Thousand Pesos per annum. He shall reside in the vicinity of the Administration's principal office and shall not engage in any business, calling or profession during his term of office.

SEC. 16. *Merit System*—All officials and employees of the Administration shall be selected and appointed on the basis of merit and fitness in accordance with a comprehensive and progressive merit system to be established by the Administration immediately upon its organization. The recruitment, transfer, promotion and dismissal of all its personnel, including temporary workers shall be governed by such merit system. In this connection, the officers and employees of the Administration shall be exempt from the application of the Civil Service Law, rules and regulations and from the rules and regulations of the Wage and Position Classification Office.

SEC. 17. *Abolition of Existing Agencies*—The Commission on National Integration created under RA 1888, the Mindanao Development Authority created under RA 3034, the Presidential Task Force for the Reconstruction and Development of Mindanao created under Executive Order No. 411 and the Special Program of Assistance for the Rehabilitation of Evacuees (SPARE) created under Letter of Instruction No. 30, are hereby abolished. All their appropriations, assets and liabilities as of the date of this Decree are hereby transferred to the Administration to be effected within a period of one hundred twenty (120) days after the constitution of the Board of Directors: *Provided* that all the qualified civil service employees of the Commission on National Integration, the Mindanao Development Authority, the Presidential Task Force for the Reconstruction and Development of Mindanao and the Special Program of Assistance for the Rehabilitation of Evacuees (SPARE) shall be given preference in filling up open positions in the Administration.

All outstanding contracts of the Commission on National Integration, the Mindanao Development Authority, the Presidential Task Force for the Reconstruction and Development of Mindanao, and the Special Program of Assistance for the Rehabilitation of Evacuees (SPARE), with other agencies and/or instrumentalities of the government or those with private entities are assumed by the Administration except, that in the case of the Commission on Na-

tional Integration, all the latter's functions pertaining to the National Cultural Communities located in Luzon and Visayas under the provisions of RA 1888, as amended, shall be undertaken, by the Department of Agrarian Reform, and for this purpose the Department of Agrarian Reform shall establish a division for the National Cultural Communities.

SEC. 18. *Gratuity*—An employee or officer of the Commission on National Integration, the Mindanao Development Authority, the Presidential Task Force for the Reconstruction and Development of Mindanao, and the Special Program of Assistance for the Rehabilitation of Evacuees (SPARE), not selected nor appointed by the Administration or who refuses such appointment shall be paid the money value of his accumulated vacation and sick leave, and such retirement gratuity as may be due him under existing retirement laws. Any of the employees and laborers who do not qualify under any existing retirement law shall be paid one month salary for every year of service, payable in lump sum. For this purpose, there is hereby appropriated out of any funds in the national treasury not otherwise appropriated the sum of Five million pesos to provide for their separation gratuities, accumulated vacation and sick leave and or retirement, when and if, payable and due to them.

SEC. 19. *Auditor*—The Commission on Audit shall recommend to the Board a representative who shall be the Auditor of the Administration and such personnel as may be necessary to assist said representative in the performance of his duties. The salaries of the Auditor and his staff shall be fixed, and paid by the Administration.

The Auditing reports shall contain a statement of the resource and liabilities including earnings and expenses, the amount of paid up capital stock, surplus, reserves, and profits, as well as losses, bad debts and such other facts which under auditing rules and regulations, are considered necessary to accurately describe the financial conditions and operations of the Administration: *Provided*, that, before such reports are made, the Administration shall be given reasonable opportunity to examine the exemptions and criticisms of the Auditor of the Administration or the Chairman of the Commission on Audit as the case may be, to appoint out, explain or answer any inaccuracies therein, if any, and to file a statement which shall be appended by the Auditor of the Administration and Chairman of the Commission on Audit in their respective reports.

SEC. 20. *Tax Exemptions*—The Administration shall be exempt from payment of all income taxes, franchise taxes, realty taxes and all kinds of taxes and licenses to the National Government, its provinces, cities, municipalities, and other government agencies and instrumentalities: *Provided*, that its subsidiary corporations shall be subject

to all said taxes five years after their establishment under a graduated scale as follows: twenty per centum of all said taxes from the sixth to the seventh year, sixty per centum of all said taxes from the eighth to the tenth year, after its establishment. Such exemption shall include any tax or fee imposed by the government on the sale, purchase or transfer of foreign exchange. All notes, bonds and debentures and other obligations issued by the Administration shall be exempted from all taxes, both as to principal and interest, except inheritance and gift taxes.

SEC. 21. *Donations and Gifts*—The Administration shall have the right to receive donations or bequests which shall be utilized only for the implementation of the programs and projects of the Administration. Such donations or bequests shall be exempt from the payment of gift taxes and the full amount of such donation or bequest shall be deductible from the gross income of the donor for the year during which the same is made.

SEC. 22. *Presidential Supervision*—The Administration shall be under the direct supervision of the President of the Philippines.

SEC. 23. *Applicability of the Corporation Law*—The provisions of the Corporation Law as amended, in so far as they are not inconsistent with this Decree shall be applicable to the operations of the Administration.

SEC. 24. *Separability Clause*—Should any provision of the decree be held unconstitutional, no other provisions thereof shall be affected thereby.

SEC. 25. *Repealing Clause*—Republic Act Nos. 1888 and 3034, both as amended, Executive Order No. 411, and Letter of Instruction Nos. 30 and 87, are hereby repealed. All other laws, decrees, acts, orders, executive orders, rules and regulations or parts thereof inconsistent herewith are hereby likewise repealed or modified accordingly.

SEC. 26. *Effectivity*—This decree shall take effect immediately.

Done in the City of Manila this 22nd day of April, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE No. 692
THE REVISED ACCOUNTANCY LAW

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order the following as part of the law of the land.

SECTION 1. *Short Title*.—This Decree shall be known and cited as “The Revised Accountancy Law”.

ARTICLE I—OBJECTIVES AND DEFINITIONS

SEC. 2. *Objectives*.—This Decree provides for and shall govern:

- (a) The standardization and regulations of accounting education;
- (b) The examination for registration of certified public accountants; and
- (c) The supervision, control, and regulation of the practice of accountancy in the Philippines.

SEC. 3. *Practice of Accountancy, Defined*.—Practice of accountancy shall constitute in a person, be it in his individual capacity, or as a partner or staff member in an accounting or auditing firm, holding out himself as one skilled in the knowledge, science, and practice of accounting, and as qualified to render professional services as a certified public accountant; or offering or rendering, or both, to more than one client on a fee basis or otherwise, services such as the audit or verification of financial transactions and accounting records; the preparation, signing, or certification for clients of reports of audit, balance sheets, and other financial, accounting and related schedules, exhibits, statements, or reports which are to be used for publication or for credit purposes, or to be filed with a court or government agency, or to be used for any other purpose; the installation and revision of accounting system, the preparation of income tax returns when related to accounting procedures; or when he represents clients before government agencies on tax matters related to accounting or renders professional assistance in matters relating to accounting procedures and the recording and presentation of financial facts or data.

A Certified Public Accountant shall be considered in the practice of his profession, if the nature and character of his employment whether as an officer or employee in a private enterprise or educational institution involves decision-making requiring professional knowledge in the science of accounting or when he represents his private employer before any government agency on tax matters related to

accounting, and such employment or position requires that the holder thereof must be a Certified Public Accountant; or if he holds or is appointed to a position in the accounting occupational group in the government or in government-owned or controlled corporations, including those performing proprietary functions, where a civil service eligibility as a Certified Public Accountant is a prerequisite.

ARTICLE II—THE BOARD OF ACCOUNTANCY

SEC. 4. *The Board of Accountancy and its composition.*—The Board of Accountancy shall be composed of a chairman and six (6) members to be appointed by the President of the Philippines upon recommendation of the Professional Regulation Commission.

The Board shall elect a vice-chairman from among its members for a term of one year. The Chairman shall preside in all meetings of the Board and in the event of a vacancy in the office of the Chairman, the vice-chairman shall assume such duties and responsibilities until the end of the term or until such time as a Chairman is appointed.

SEC. 5. *Functions of the Board of Accountancy.*—The Board of Accountancy shall have the following functions:

- a. To determine and prescribe minimum requirements leading to the admission of candidates to the certified public accountant's examinations;
- b. To determine and prepare the contents of licensure examinations; score and rate the examination papers and submit the results thereof to the Commission within two hundred forty (240) days after the last examination day unless otherwise directed by the Commission;
- c. To look from time to time into the conditions affecting the practice of the accountancy profession and whenever necessary, adopt such measures as may be deemed proper for the enhancement and the maintenance of high professional, ethical and technical standards;
- d. To investigate violations of the Accountancy Law and the rules and regulations promulgated thereunder and for this purpose to issue summons, subpoena and subpoena duces tecum to violators or witnesses thereof and compel their attendance to such investigation or hearings;
- e. To promulgate decisions on such administrative cases subject to review by the Commission;
- f. After due process, to suspend, revoke, or reissue certificates of registration for causes provided for by law or by the rules and regulations promulgated therefor;
- g. To perform such other functions and duties as may be deemed necessary to effectively implement policies with respect to the regulation and practice of the profession.

SEC. 6. *Qualification of Board Members.*—No person shall be appointed a member of the Board of Accountancy unless he:

- a) is a citizen of the Philippines;
- b) is of good moral character;

- c) is a duly registered Certified Public Accountant in the Philippines;
- d) has been in the practice of accountancy for at least ten years; and
- e) is not directly or indirectly connected with any school, college, or university granting degress that may qualify graduates with such degress for admission to the Certified Public Accountant examinations, or with Certified Public Accountant's Review School or Institute, nor shall have any pecuniary interest in such school, college, university or Certified Public Accountant's Review School or Institute.

SEC. 7. Tenure of Office and Compensation of Members.

—The Chairman and members of the Board of Accountancy shall hold office for three years: Provided, That the first and second, third and fourth, and fifth and sixth members and the chairman appointed under this law shall serve for one, two and three years, respectively; Provided, further that the incumbent members of the Board of Accountancy shall serve for their unexpired terms of office or until their successors shall have been appointed and qualified. Vacancies shall be filled by appointments for the unexpired terms only. No person who has served two successive complete terms shall be eligible for reappointment until after the lapse of one year. Appointment to fill an unexpired term is not to be considered as a complete term.

Each member shall receive as compensation a fee not exceeding fifteen pesos for each candidate examined and a per diem not less than ten pesos for each day of attendance in administrative investigations and ocular inspections lasting not less than one hour at a time: Provided, That the total compensation of the chairman or members shall be at such rates as may be provided for in the general appropriation decree for participating in all examinations given during the fiscal year.

SEC. 8. Suspension or Removal of a Member of the Board.—The Professional Regulation Commission shall recommend to the President of the Philippines the removal from the Board of any member whose certificate to practice has been revoked or suspended, and may, after hearing, recommend to the President the removal of any member of the Board for neglect of duty or incompetence or other just cause.

SEC. 9. The Certified Public Accountant Examination.—The Board of Accountancy shall determine and prepare the contents of examinations to qualify Certified Public Accountants. The Board of Accountancy, in coordination with the Professional Regulation Commission, shall conduct the examinations at least once in each calendar year in the Cities of Manila and Cebu: Provided, however, that if conditions warrant, the Board may, upon previous ap-

proval of the Professional Regulation Commission, conduct the examinations in other places.

SEC. 10. *Admission Requirements for Examinations.*—

No person shall be admitted to the examination unless he is:

- a) a citizen of the Philippines;
- b) at least twenty-one years of age: Provided, however, that an applicant below twenty-one years of age may be allowed to take the examinations and in case he passes the examinations shall not be issued the certificate until he reaches the required age;
- c) of good moral character;
- d) a holder of the degree of Bachelor of Science in Commerce or its equivalent from any institution of learning recognized by the government in accordance with the provisions of this Decree; and
- e) in case of a candidate who has failed two complete certified public accountant's examinations, he shall have complied with the requirements for examinations as provided under Section 13 of this Decree.

SEC. 11. *Scope of Examination.*—The examinations shall be in writing and shall cover the following subjects with the corresponding weight in units unless otherwise modified by the Board upon approval of the Professional Regulation Commission.

Subject	Weight in Units	Minimum Hours
Theory of Accounts	2	3
Business Law and Taxation	2	3
Management Services	2	3
Auditing Theory	2	3
Auditing Problems	2	3
Practical Accounting		
Problems I	2	3
Practical Accounting		
Problems II	2	3
TOTAL	14	21

The contents and coverage of these subjects shall be in accordance with the outline or syllabus prepared and issued by the Board of Accountancy containing the following:

Theory of Accounts—Accounting terminology, accounting principles and procedures, classification of accounts, valuation of assets and liabilities, income determination, developments in the science of accountancy, etc.

Business Law and Taxation—One-Half on the subject of business law covering obligation and contracts, partnerships and corporations, negotiable instruments and other phases of the legal framework of business, and the other half on taxation dealing on income tax, business

taxes, transfer taxes, and other taxes affecting accounting practice.

Management Services—Principles and procedures, methods and techniques involved in management consulting services that may be rendered by Certified Public Accountants in areas such as managerial accounting, planning and control operations, design and appraisal of accounting systems, and financial-management related services.

Auditing Theory—Auditing concepts, auditing standards, internal control, auditing procedures and techniques, and the short-form audit report.

Auditing Problems—Problems on the application of auditing standards, techniques and procedures, preparation of working papers, completion of the audit, and preparation of audit report.

Practical Accounting I—Problems concerning financial statements and accounting for assets, liabilities and stockholder's equity.

Practical Accounting II—Problems pertaining to partnership, joint ventures, fire insurance on the insured's books, consignments, installment sales, agencies and branches, business combinations, cost accounting, financial analysis, and government accounting.

SEC. 12. *Examination Rating.*—A candidate for the examination obtaining a general weighted average of seventy-five percent and above shall be entitled to registration as certified public accountant and as such shall receive a certificate of registration from the Board of Accountancy, Provided, That in no case should the rating on any subject be less than sixty-five percent. In the event a candidate obtains the rating of seventy-five percent and above in at least four (4) subjects having a combined weight of eight (8) units as provided for in this Act, he shall receive a conditional credit for the subjects passed: Provided, however, That such candidates shall take an examination in the remaining subjects within two years from the preceding examination: Provided, further, That if the candidate fails to obtain at least a general weighted average of seventy-five percent and a rating of at least sixty-five percent in each of the subjects re-examined, he shall be considered as failed in the entire examination.

SEC. 13 *Failing candidates to take refresher course.*—Any candidate who fails in two complete Certified Public Accountant board examinations shall be disqualified from taking another set of examinations unless he submits evidence to the satisfaction of the Board of Accountancy that he has re-enrolled in and completed at least twenty-four units of subjects given in Certified Public Accountant Examinations.

For purposes of this law, the examinations in which the candidate was conditioned together with the removal

examination on the subject in which he failed shall be counted as one complete examination.

SEC. 14. *Certificate of Registration.*—A certificate of registration as Certified Public Accountant shall be issued by the Board of Accountancy to those who have satisfactorily passed the examination prescribed herein or otherwise complied with the requirements of the Board.

All certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by all the members of the Board and the Chairman of the Professional Regulation Commission and attested by the official seal of the Board.

A certificate of registration shall not be issued to any candidate who has been convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or has been found guilty of immoral or dishonorable conduct after due investigation by the Board of Accountancy, or has been declared to be of unsound mind.

SEC. 15. *Fees.*—All applications must be filed with the Professional Regulation Commission and shall be subject to the payment of fees prescribed by the Professional Regulation Commission.

SEC. 16. *Rules and Regulations of the Board of Accountancy.*—Subject to the approval of the Professional Regulation Commission, the Board of Accountancy shall promulgate rules and regulations and set professional standards for the practice of accountancy. Such rules shall include a code of professional ethics and security measures to protect the secrecy and integrity of the examinations.

ARTICLE III—ADMINISTRATIVE PROCEEDINGS, PENAL AND OTHER PROVISIONS

SEC. 17. *Grounds for proceedings against a Certified Public Accountant.*—Any of the following shall be sufficient ground for proceeding against a Certified Public Accountant:

- (a) Conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude;
- (b) Immoral or dishonorable conduct;
- (c) Insanity;
- (d) Fraud in the acquisition of the certificate of registration;
- (e) Gross negligence or incompetence in the practice of his profession;
- (f) Addiction to alcoholic beverages or to any habit-forming drugs rendering him incompetent to practice his profession;
- (g) False or extravagant or unethical advertisement wherein other things than his name, profession, limitation of practice, office and home address are mentioned;
- (h) Issuing an accountant's certificate covering the examination of the client's accounts without observing the necessary auditing standards;
- (i) Aiding or acting as a dummy of an unqualified or unregistered person to practice accountancy;

- (j) Violation of any provision of this Decree and the rules and regulations promulgated thereunder;
- (k) Conduct discreditable to the accounting profession.

SEC. 18. *Administrative Investigation.*—Within five days after the filing of written charges under oath, respondent Certified Public Accountant shall be furnished a copy thereof requiring him to answer the same.

The administrative investigation shall be conducted by the Board of Accountancy or any of its members as may be designated by the Chairman, or may be conducted by a legal or hearing officer of the Professional Regulation Commission: Provided, however, that the decision shall be promulgated by a majority of the members of the Board.

The rules and regulations promulgated by the Professional Regulation Commission pursuant to its rule making power shall govern the procedure and conduct of administrative investigation before the Board.

SEC. 19. *Rights of Respondents.*—The respondent Certified Public Accountant shall be entitled to be represented by counsel, to have a speedy and public hearing, and to confront and to cross-examine witnesses against him.

SEC. 20. *Appeal from Judgement.*—The decision of the Board of Accountancy shall become final thirty (30) days after receipt by the respondent of a copy of the decision, unless during the same period, he has appealed to the Professional Regulation Commission, whose decision shall be final.

SEC. 21. *Reinstatement.*—After two years, the Board of Accountancy may order the reinstatement of certified public accountant whose certificate of registration has been revoked, if the respondent, during this period, has acted in an exemplary manner and has not committed any illegal, immoral or dishonorable act.

SEC. 22. *Criminal Offenses.*—Any person who shall by himself or in cooperation with another defeat, deceive, or obstruct any person in the matter of his right of examination by the Board of Accountancy, or who shall falsely rate, grade, estimate, or report upon the examination or standing of any person examined by the Board of Accountancy, or shall aid in so doing, or shall make any false representation relative thereto or concerning the person or persons examined or who shall use or furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or to be examined or receiving a certificate, shall for each offense be punished with a fine not exceeding five thousand pesos, or by imprisonment for a period not exceeding two years or both.

Any person who shall knowingly make any material false statement in his application for examination, or who shall connive at any false statement made in any certificate which may accompany his application, or who shall make any material false statement in any certificate to accompany the application for examination of any person, or who shall impersonate any other person or permit or aid in any manner other persons to impersonate him in connection with any examination or application for examination, or who shall falsely make or forge any certificate in connection with his application, or who shall commit or attempt to commit any fraud, or violation in any manner the provisions of this Decree or any regulations promulgated under the provisions hereof, or aid in so doing, shall be subject to the same penalty as in the preceding paragraph provided.

Any person who represent himself to the public as having received a certificate as provided in this Decree, or shall assume to practice as Certified Public Accountant or use the abbreviated title "C.P.A." or any similar words or letters to indicate that the person using the same is a Certified Public Accountant, without having received such certified public accountant certificate or having received such certificate, has been thereafter deprived of the use of the same by temporary suspension or revocation shall be punished with a fine in a sum not exceeding five thousand pesos or by imprisonment for a period not exceeding two years, or both, at the discretion of the Court, for each such offense, and each day that such person shall so practice or hold himself out as a certified public accountant shall be deemed a separate offense.

SEC. 23. *Foreign Reciprocity*.—No foreigner shall be admitted to the examinations or be registered as Certified Public Accountant under this Decree unless he proves in the manner provided for by the Professional Regulation Commission that, by specific provisions of law, the country of which he is a citizen, subject, or national, allows citizens of the Philippines to the practice of accountancy profession after an examination on terms of strict and Absolute equality with the citizens, subjects or nationals of said country, including the unconditional recognition of prerequisite degrees issued by institutions of learning duly recognized by the Government of the Republic of the Philippines.

SEC. 24. *Ownership of Working Papers, etc.*—All working papers, schedules and memoranda made by a certified public accountant and his staff in the course of an examination, including those prepared and submitted by the client, incident to or in the course of an examination,

by such certified public accountant, except reports submitted by a certified public accountant to a client shall be and remain the property of such certified public accountant in the absence of a written agreement between the certified public accountant and the client, to the contrary. However, no such working papers, schedules, and memoranda shall be sold, transferred or bequeathed or disposed of in any manner without the consent of the client, his heir, personal representatives or successors to anyone other than one or more surviving partners or new partners of such certified public accountant.

SEC. 25. *Limitation on the Practice of Public Accountancy.*—Hereafter, all partners of partnership organized for the practice of public accountancy shall be registered certified public accountants in the Philippines. The Commissioner of the Securities and Exchange Commission shall not register any corporation organized for the practice of public accountancy.

SEC. 26. *Integration of the Accountancy Profession.*—The Professional Regulation Commission shall adopt rules to effect the integration of Certified Public Accountants under such conditions as it shall see fit in order to raise the standards of the profession and enable it to discharge its public responsibilities more effectively.

SEC. 27. *Accreditation to Practice Public Accountancy.*—Certified Public Accountants and firms or partnerships of certified public accountants, including partners and staff members thereof shall register with the Professional Regulation Commission and the Board of Accountancy, such registration to be renewed annually on or before September 30 of each year following the date of issuance. Subject to the approval of the Professional Regulation Commission, the Board of Accountancy shall promulgate rules and regulations for the implementation of registration requirements, including the fees and the penalties for violation thereof.

SEC. 28. *Repealing Clause.*—Republic Act No. 5166 is hereby repealed and all laws, executive orders, administrative orders, rules and regulations, or parts thereof inconsistent with the provisions of this Decree are also hereby repealed and modified accordingly.

SEC. 29. *Effectivity.*—This Decree shall take effect upon promulgation, except as provided in Section 10, paragraph (e) and Section 13 which shall take effect beginning with the Certified Public Accountant examinations to be given in the year 1976.

Done in the City of Manila, this 5th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

MALACAÑANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES

MANILA

PRESIDENTIAL DECREE No. 693

AUTHORIZING THE CONSTRUCTION OF THE
MAGAT RIVER MULTI-PURPOSE PROJECT IN
ISABELA, PROVIDING FOR THE FINANCING
THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, it is necessary to further accelerate the development and utilization of the country's water and land resources as a means of bolstering the government's food production and industrialization program thereby enhancing the economic development of the nation;

WHEREAS, the potentials of the Magat River in the Province of Isabela have been studied and found to be economically and technically viable, its development being envisioned as a multi-purpose project designed to provide irrigation, generate electric power and energy, provide recreational and fish conservation facilities and for other related uses;

WHEREAS, successful development of the Magat River requires government support specifically in the form of financing through local and/or foreign sources;

WHEREAS, the National Irrigation Administration has been designated by the Government as the implementing agency for the Magat River Multi-Purpose Project under Executive Order No. 440, Series of 1974;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order as follows:

SECTION 1. The construction of the Magat River Multi-Purpose Project (hereinafter referred to as the "Project") is hereby authorized for the purpose of furnishing water for irrigation, generating electric power and energy, providing recreational and fish conservation facilities and for other related uses.

SEC. 2. There is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, the sum of Two Billion Four Hundred Million Pesos or so much thereof as may be necessary to finance the local currency costs of the Project, such amount to be released by the Budget Commission in accordance with the schedule of cash requirements as shall be prepared and submitted by the National Irrigation Administration: *Provided*, That releases from the general funds in a given fiscal year may be reduced to the extent that funds shall have been actually made available in such year for the Project from the proceeds of bonds issued in accordance with the provisions of Republic Act Numbered Forty-Eight Hundred and Sixty-One, which proceeds from bond issues are hereby appropriated for the Project, any provision of law to the contrary notwithstanding.

SEC. 3. The President of the Philippines is hereby authorized to contract such loans, credits and indebtedness in accordance with the provisions of Republic Act Numbered Forty-Eight Hundred and Sixty, as amended, in such amounts as may be necessary to enable the Republic of the Philippines of finance the foreign exchange requirements of the Project: *Provided*, That the total of such amounts shall not exceed three hundred million United States dollars, or the equivalent thereof, in other foreign currencies.

SEC. 4. The National Irrigation Administration or any other government agency as may be authorized shall have the power to collect from the users of the Project such fees, or charges as may be necessary to, among other things, finance the continuous operation and maintenance of the Project, and recover, within a reasonable period, the financing and construction cost thereof in accordance with Section six of Republic Act numbered forty-eight hundred sixty, as amended: *Provided*, That in the case of charges or fees for irrigation, such charges or fees shall be of such level as to cover operation and maintenance costs and, to the extent that the incentives to use the irrigation facilities shall not be impaired, to recover capital invested for the irrigation phase within a period of not less than twenty-five years.

SEC. 5. All positions created in connection with this Project shall be co-terminus with the Project, and that all appointments made therein shall be in accordance with Presidential Decree Numbered Five Hundred Fifty-two.

SEC. 6. The National Irrigation Administration shall coordinate with such agency of the government that might be involved in the implementation and operation of the Project other than its irrigation phase and, with the

approval of the President of the Philippines, promulgate such rules and regulations as may be necessary for the implementation of the provisions of this Act, and such agencies shall cooperate with the National Irrigation Administration in this matter.

SEC. 7. This Act shall take effect upon its approval.

Done in the City of Manila, this 7th day of May, in the year of our Lord, nineteen hundred and seventy-five.

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG

RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE No. 694

PROVIDING FOR THE 1975 REVISED CHARTER OF
THE PHILIPPINE NATIONAL BANK

WHEREAS, the Philippine National Bank is an instrument of national monetary policy with a significant role in the economic development of the country under the program of the New Society;

WHEREAS, there is a pressing need for further revising the Charter of the Philippine National Bank to enable it to effectively carry out the task of providing the necessary financing for economic development;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order the 1975 Revised Charter of the Philippine National Bank as follows:

THE 1975 REVISED CHARTER OF THE
PHILIPPINE NATIONAL BANK

SECTION 1. This Decree shall be known as "The 1975 Revised Charter of the Philippine National Bank."

SEC. 2. *Name—Domicile and place of business—Branches, agencies and other offices.*—There is hereby created a bank to be known as the Philippine National Bank. Its principal domicile and place of business shall be in the Greater Manila Area. It may open and maintain branches, agencies or other offices at such places in the Philippines or abroad as its Board of Directors may deem feasible.

ible, with the prior approval of the Monetary Board of the Central Bank of the Philippines.

CORPORATE POWERS

SEC. 3. *Corporate powers.*—The Philippine National Bank, upon its organization, shall be a body corporate and shall have power:

- a. To engage in the business of commercial banking by accepting drafts and issuing letters of credit, discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debts, receiving deposits, buying and selling foreign exchange and gold or silver bullion, by acting as financial agent, and by lending money against personal security or against securities consisting of personal property or first mortgages on improved real estate and the insured improvements thereon;
- b. To accept and execute trusts and to carry on a general trust business in accordance with the provisions of law governing trust corporations;
- c. To hold, own, purchase, acquire, sell, mortgage, dispose or otherwise invest or reinvest in high grade stocks, bonds, debentures, securities and other evidence of indebtedness of other corporations and of the government or its instrumentalities which are issued for or in connection with any project or enterprise;
- d. To organize and incorporate investment and/or development financing subsidiaries whose capital stock may be subscribed in whole or in part by the Bank: Provided, however, that the controlling interest of not less than sixty-six and two-thirds per cent ($66\frac{2}{3}\%$) of the authorized capital stock of such subsidiaries shall at all times remain with the Bank: Provided, further, that the Bank may organize and incorporate commercial banking subsidiaries without the limitations imposed on allied undertakings, subject to the prior approval of the Monetary Board: Provided, finally, that the organization and incorporation of such subsidiaries shall be approved by the President of the Philippines.
- e. With the approval of the President of the Philippines, to issue either in the Philippines or externally, all types of bonds, promissory notes, debentures, certificates of indebtedness, or other debt instruments whether senior, unsecured or subordinated obligations, including but not limited to capital notes under such terms and conditions as may be determined by the Board of Directors, which may be:
 1. Secured by credits against real estate or other assets of the Bank but not in excess of 90% thereof, or without such security and purely on an unsecured or subordinated basis;
 2. Long-term, medium-term or short-term;
 3. With fixed interest rate or floating interest rate;
 4. Denominated either in the lawful legal tender of the Philippines or in such foreign currencies which are eligible for the foreign exchange reserves of the Central Bank of the Philippines; and
 5. With such other features and requirements which in its discretion are deemed necessary.

These bonds, debentures, promissory notes, certificates of indebtedness, or other debt instruments shall be unconditionally guaranteed as to principal and interest by the Republic of the Philippines: Provided, however, that the Bank is also authorized to issue these instruments without the guaranty of the Republic of the Philippines;

These bonds, debentures, promissory notes, certificates of indebtedness, or other instruments, shall be exempt, both as to principal and interest, from any and all taxes imposed by the Government or any of its subdivisions;

- f. To guarantee foreign loans or credit accommodation extended directly by foreign firms or persons to domestic borrowers for capital investment purposes; (Sec. 74, GBA, modified)
- g. To engage or participate in the development of secondary markets for government securities and short, medium and long term papers;
- h. To invest in equities of the following allied undertakings: warehousing companies, leasing companies, storage companies, safe deposit box companies, trust companies, companies engaged in the management of mutual funds but not in the mutual funds themselves, banks other than rural banks, and such other similar activities as the Monetary Board of the Central Bank of the Philippines may declare as appropriate from time to time: Provided, however, that (a) the total investment in equities shall not exceed twenty-five per cent (25%) of the net worth of the Bank; (b) the investment in any one enterprise shall not exceed ten per cent (10%) of the total net worth of the Bank; (c) the total equity investment of the Bank in any single enterprise shall remain a minority holding in that enterprise, except where that enterprise is not a financial intermediary; (d) the investment in other banks shall be deducted from the Bank's net worth for purposes of computing the prescribed ratio of net worth to risk assets.

Where the allied undertaking is a wholly owned or majority controlled subsidiary of the Bank, it shall be subject to examination by the Central Bank;

- i. To borrow money, or incur indebtedness or contract obligations in pursuance of its banking operations as set forth in this Decree;
- j. To engage in the warehousing of rice, corn and other grains, copra, sugar, tobacco, cotton and other basic commodities as well as oil, gasoline and petroleum products;
- k. To act as an official government depository with full authority to maintain deposits of the government, its branches, subdivisions and instrumentalities, and of government owned or controlled corporations, subject to the provisions of Section 118 of Republic Act numbered two hundred sixty-five, as amended;
- l. To prescribe its By-laws;
- m. To adopt and use a seal;
- n. To make contracts;
- o. To sue and be sued;
- p. To acquire, own and hold real and personal property necessary to carry on its business, introduce improvements thereon, and to sell, mortgage or otherwise dispose of such property and improvements in accordance with the policies adopted by the Board;
- q. To exercise the general powers mentioned in the Corporation Law and the General Banking Act insofar as they are not inconsistent or incompatible with the provisions of this De-

cree, as well as such incidental powers as may be necessary to carry on and engage in its business.

CAPITAL

SEC. 4. *Authorized Capital Stock—Par Value—Government Subscription and Payment—Sale of Shares.*—The authorized capital stock of the Bank shall be increased to TWO BILLION PESOS to be divided into twenty million shares at par value of one hundred pesos each. The Government shall increase its paid-in subscription of ₱700 million as of December 31, 1973 to ₱1 billion. Payment for the ₱300 million additional capital contribution to the Government shall be made as follows:

- a. In the form of cash to be authorized under the corresponding appropriation upon recommendation of the Secretary of Finance; or
- b. In the alternative, in exchange for bonds or other government securities which the Secretary of Finance is hereby authorized to issue under such terms and conditions as he may prescribe.

The increase in the authorized capital stock shall be divided into the following classes of Shares:

- a. Preferred "A" shares which shall consist of one million shares available for sale to or subscription by the general public. These shares shall have the following features:
 - 1) preferred as to dividends at ten per cent (10%);
 - 2) Cumulative;
 - 3) participating;
 - 4) non-voting;
 - 5) dividends thereon shall be exempt from income tax;
 - 6) redeemable at the option of the Bank at the prevailing book value but in no case less than par after five (5) years from issuance thereof; and
 - 7) convertible to Common shares at the option of the holder in case the Bank fails to pay dividends thereon for two consecutive years: Provided, however, that if the holder thereof signifies his intention to convert the Preferred "A" shares to Common shares, the Bank may, at its option, redeem said shares even before the lapse of five (5) years counted from date of their issuance.
- b. Preferred "B" shares which shall consist of two million shares available for sale to or subscription by citizens of the Philippines only. These shares shall have the following features:
 - 1) preferred as to dividends;
 - 2) cumulative;
 - 3) participating;
 - 4) non-voting;
 - 5) dividends thereon shall be exempt from income tax; and
 - 6) convertible to Common shares at the option of the holder in case the Bank fails to pay dividends thereon for two consecutive years.
- c. Common, "A" shares which shall consist of five hundred thousand (500,000) shares exclusively available for subscription at par by officers and employees of the Bank. These shares shall have the following features:

- 1) preferred as to dividends;
- 2) cumulative;
- 3) participating;
- 4) voting;
- 5) dividends thereon shall be exempt from income tax; and
- 6) non-transferable except to qualified holders as herein provided.

Transfer of any kind, including that by hereditary succession, to any person other than officers or employees of the Bank shall not be valid and shall not be registered in the books of the Bank. Moreover, such transfer shall give rise to the Bank's right to acquire the shares so transferred at part. The Board of Directors of the Bank shall prescribe the terms and conditions for the distribution of Common "A" shares to officers and employees of the Bank as well as for the Bank's re-acquisition of said shares from the holders thereof upon their separation from the Bank or upon the transfer of said shares to any person other than officers or employees of the Bank.

- d. The balance of the increase in the authorized capital stock shall be in Common shares.

The Board of Directors of the Bank may, at its discretion, increase the number of any of the preferred shares as well as the Common "A" shares by converting outstanding Common shares, if there are any available, to such shares desired to be increased. Said increase shall be subject to the approval of the President of the Philippines upon recommendation of the Secretary of Finance. The Bank may take the necessary steps to have its preferred shares listed in any duly registered stock exchange.

Existing private stockholders may exercise their pre-emptive right.

The Government may at any time, upon recommendation by the Secretary of Finance and the approval of the President of the Philippines, subscribe to the balance of the Common shares: *Provided*, however, that upon the lapse of five years from the listing of the preferred shares in any duly registered stock exchange, but not later than December 31, 1980, such preferred shares remaining unsold or unsubscribed shall be automatically converted to Common shares and subscribed to by the Government.

Payment of these government subscriptions may likewise be in the form of cash to be authorized under the corresponding appropriation that may be made from time to time or in exchange for bonds or other government securities which the Secretary of Finance is hereby authorized to issue under such terms and conditions as he may prescribe. These bonds or other government securities may be retired in the manner provided for in this Decree.

The Bank is also authorized to purchase its own shares that are held privately.

Holders of Land Bank bonds may, under such terms and conditions as may be prescribed by the Board of Directors of the Bank, exchange such bonds for shares of the Bank offered for sale to the public.

SEC. 5. *Who may vote Government-owned stock.*—The voting power of all the stock of the Bank owned and controlled by the Republic of the Philippines shall be

vested in the President of the Philippines, or in such person or persons as he may from time to time designate.

BANKING OPERATIONS IN GENERAL

SEC. 6. *Loans and credit accommodations authorized.*—
The Philippine National Bank is hereby authorized:

- a. To purchase, discount or negotiate promissory notes, drafts, bills of exchange and other evidences of debt issued or drawn for agricultural, export, industrial, commercial and other allied purposes with collaterals required by the Bank, or the proceeds of which have been used or are to be used for such purposes;
- b. To grant loans on, or to discount notes secured by harvested and stored crops: *Provided*, That no loan on the security of such harvested and stored crops shall exceed eighty per centum of the fair market value thereof on the date of the loan: *Provided, further*, That the crops used as collateral shall be insured for the benefit of the Bank for their entire market value; and *Provided, finally*, That if owing to any circumstances whatever, the value of the crops given as security shall diminish, the debtor and/or mortgagor shall obligate himself to furnish additional security or refund such part of the loan as the Bank may demand. The maturity of such loans shall not exceed one year subject to extension, in the discretion of the Bank;
- c. To grant loans for the production of rice, corn and other grains, cotton, hemp, coconut, sugar, banana, tobacco, mango and other agricultural produce, not in excess of seventy per cent (70%) of the estimated value of the production: *Provided, however*, that before granting such loans, the Bank may require additional securities in the nature of mortgages on real estate duly registered in the name of the debtor and/or accommodation mortgagor, or chattel mortgage, including those upon livestock, machinery and agricultural implements, or personal bonds with sufficient surety or sureties, satisfactory to the Bank.
- d. To grant medium-term or long-term loans and advances against security of real estate and/or other acceptable assets for the establishment, rehabilitation or expansion of agricultural, export, industrial and other productive enterprises;
- e. To grant loans against personal security, or against security consisting of personal property or first mortgages on improved real estate and the insured improvements thereon;
- f. To make loans to any branch, subdivision or agency of the Republic of the Philippines or to government owned or controlled corporations, subject to the conditions that such loans should be for productive, revenue producing, or socio-economic projects pursuant to the priorities established in the development program, as certified to by the National Economic Development Authority, in an amount within the borrowing entity's paying capacity, duly guaranteed by the National Government through the Secretary of Finance upon authority of the President of the Philippines with respect to principal, interest and other charges: *Provided, however*, that loans covered by government guarantees shall not exceed the ceiling prescribed by the Monetary Board: *Provided, finally*, That such ceiling on government guarantees shall exclude loans to government corporations with accept-

able collateral. However, such loans to government corporations shall nonetheless be subject to the lending ceiling on loans to government agencies and entities provided for in paragraph d of Section 7.

SEC. 7. *Lending Ceilings.*—The aggregate amount of loan that may be granted by the Bank to any individual, partnership, corporation, industry, or government agency or entity shall be as follows:

- a. The total liabilities to the Bank of any individual, including the liabilities of the individual's spouse or of any corporation or firm for money borrowed, including in the liabilities of the corporation or firm the liabilities of the several members thereof, shall at no time exceed fifteen per cent (15%) of the unimpaired capital and surplus of the Bank;
- b. The Bank shall not make any loan upon the stock of any other corporation as collateral if the market value of all such stocks held as collateral exceeds an amount equal to fifteen (15%) per centum of the unimpaired capital stock and surplus of the Bank;
- c. The aggregate amount of loan for any single industry shall at no time exceed thirty per cent (30%) of the Bank's lending capacity. Lending capacity of the Bank shall be defined as the maximum expansion for loans and credits that the Bank is authorized to grant or extend which shall be computed as ten (10) times the Bank's unimpaired capital and surplus, minus risk assets as defined herein, plus the following:
 - 1) Loans guaranteed by the government;
 - 2) Loans fully secured by holdout deposit;
 - 3) Customers' liability acceptances covered by marginal deposits on letters of credit;Risk assets is defined as total assets minus the following:
 - 1) Cash on hand;
 - 2) Amount due from the Central Bank;
 - 3) Evidences of indebtedness of the Republic of the Philippines and of the Central Bank, and any other evidences of indebtedness or obligations the servicing and repayment of which are fully guaranteed by the Republic of the Philippines;
 - 4) Loans to the extent covered by holdout on, or assignment of, deposit maintained in the lending bank and held in the Philippines;
 - 5) Loans or acceptances under letters of credit to the extent covered by margin deposits; and
 - 6) Other non-risk items which the Monetary Board of the Central Bank may, from time to time, authorize to be deducted from total assets;
- d. The aggregate amount of loans to Government agencies and entities including government-owned and/or controlled corporations shall at no time exceed the advances, deposits and paid-in capital contributions of the Government, plus twenty per cent (20%) of such total, except in emergency situations as determined by the Monetary Board of the Central Bank;
- e. The aggregate of long term loan and advances which the Bank may grant against security of real estate or other acceptable assets for the establishment, repairs or expansion

of agricultural, export, industrial or any other productive enterprise shall not exceed the sum of the paid-up capital and unimpaired surplus, long term indebtedness and obligations plus thirty per cent (30%) of the total deposit liabilities of the Bank.

SEC. 8. The following transactions shall be excluded in the computation of the lending ceilings:

- a. The discount of bills of exchange drawn in good faith against actually existing values and discount of commercial or business paper actually owned by the person negotiating the same shall not be considered as money borrowed;
- b. Loans secured by obligations of the Central Bank or of the Philippine Government;
- c. Loans fully guaranteed by the government as to the payment of principal and interest;
- d. Loans to the extent covered by holdout on, or assignment of deposits in the Bank and held in the Philippines or abroad;
- e. Loans and acceptances under letter of credit to the extent covered by margin deposits;
- f. Loans for the establishment, promotion or expansion of export trade or industry approved by the Monetary Board of the Central Bank as excluded in the computation of the lending ceilings;
- g. Other loans or credits which the Monetary Board of the Central Bank may, from time to time, determine as excluded in the computation of lending ceilings upon request of the Board of Directors of the Bank.

SEC. 9. *Additions to Lending Ceiling.*—In addition to the lending ceiling of fifteen (15%) per cent of the unimpaired capital and surplus of the Bank referred to in paragraph 'a' of Section 7, the total liabilities of any borrower may amount to (a) a further fifteen (15%) per cent of the unimpaired capital and surplus of the Bank provided such additional liabilities are secured by shipping documents, warehouse receipts or other similar documents transferring or securing title covering readily marketable, non-perishable stocks, when such staples have a market value equal to at least one hundred twenty-five per cent (125%) of such additional liabilities; (b) a further twenty (20%) per cent of the unimpaired capital and surplus of the Bank when the loans are to be utilized for the establishment, promotion, or expansion of export trade and industry.

BOARD OF DIRECTORS COMPOSITION AND ORGANIZATION

SECTION 10. *Board of Directors—Composition—Per Diem's—Tenure.*—The affairs and business of the Bank shall be directed and its property managed and preserved, unless otherwise provided in this Decree, by a Board of Directors consisting of nine members duly elected as herein-after provided for a term of one year or after their suc-

cessors are duly elected and qualified, and who shall be paid a per diem of two hundred fifty pesos for each meeting of the Board of Directors.

SEC. 11. *Election of Members of the Board of Directors—Election of Chairman.*—Annually on the first Tuesday after the first Monday in March, the stockholders shall meet to elect the members of the Board of Directors for the current year, each stockholder or proxy to be entitled to as many votes as he may have shares of stocks registered in his name on the thirty-first of January last preceding and held by him at the time of the election. Immediately after the election, the directorate shall be organized as such and elect from among themselves as chairman. The President of the Bank shall be ex-officio vice-chairman, who, as such, shall assist the chairman and act in his stead in case of absence or incapacity. In case of incapacity or absence of both the chairman and vice-chairman, the Board of Directors shall designate a temporary chairman from among its members: Provided, that no director, shareholder or employee of any other bank shall be eligible as member of the Board of Directors of the Bank: Provided, further, That no person shall be elected director of the Bank unless he is a natural-born citizen of the Philippines, not less than thirty-five years of age, of good moral character and has attained proficiency, expertise and recognized competence in one or more of the following: banking, finance, economics, law, agriculture, business management, public utility or government administration.

SEC. 12. *President, Executive Vice Presidents, Senior Vice Presidents and Vice Presidents—Election, Appointment and Removal.*—The Chief Executive of the Bank shall be the President who shall be elected by the Board of Directors from among themselves with the advise and consent of the President of the Philippines. No person shall be elected President of the Bank unless he is at least forty years of age, of good moral character and reputation, with at least ten years previous experience in banking, and has a reputed proficiency, expertise and recognized competence in banking and economics, or finance, management, or government administration, or law, or agriculture, or industry. He shall be assisted by one or more Executive Vice Presidents who shall have the same qualifications as the President and such number of Senior Vice Presidents and Vice Presidents as may be necessary for the efficient operations of the business of the Bank, and who shall be chosen and removed for cause by the Board of Directors upon recommendation of the President of the Bank. The salaries of the President, Executive Vice Presidents, Senior Vice Presidents and Vice Presid-

ents shall be fixed by the Board of Directors in line with the policy declared by the President of the Philippines.

POWERS OF THE BOARD OF DIRECTORS

SEC. 13. The Board of Directors shall have, among others, the following duties, powers and authority:

- a. To formulate policies necessary to carry out effectively the provisions of this Decree and adopt such by-laws, rules and regulations for the effective operation of the Bank, in conformity with this Decree and existing laws;
- b. To adopt an annual budget for the effective operation and administration of the Bank: Provided that the expenses for its personnel shall not exceed thirty per cent (30%) of the gross income of the Bank for the preceding calendar year, including all salaries, allowances, benefits and other emoluments of whatever kind and nature:
- c. To create, establish and operate a "Self-Insurance System" in order to offset possible damage or loss of cash-in-transit that the Bank may suffer on account of cash and check remittances to its branches and agencies and vice-versa, as well as those that may arise from irregular encashment or negotiation of checks, drafts, telegraphic transfers and similar instruments, or losses arising from other forms of fraud;
- d. To create and establish a "Provident Fund" which shall consist of contributions made both by the Bank and its officers or employees to a common fund for the payment of benefits to such officer or employee or his heirs under such terms and conditions as the Board of Directors may fix;
- e. In its discretion, to accept assignments of, or as payments, certificates of indebtedness of the Government or other such similar securities: Provided, however, that the authority herein granted shall not be used as regards backpay certificates: Provided, further, that if, for any reason whatever, the Bank is compelled by statute to accept assignments of, or as payment, certificates of indebtedness, bonds or other such similar Government securities, such certificates, bonds or securities can be used by the Bank in payment of any and all taxes;
- f. To compromise or release, in whole or in part, any claim or settled liability to the Bank regardless of the amount involved, under such terms and conditions it may impose to protect the interests of the Bank. This authority to compromise shall extend to claims against the Bank;
- g. To prescribe such terms and conditions for loans and credits as may be deemed necessary, consistent with the provisions of this Charter;
- h. To determine the procedure and requirement for the acquisition of properties necessary for the business of the Bank;
- i. To dispose of properties of the Bank, whether used in the conduct of its business or acquired as a result of its banking operations, by public bidding or private negotiated sale upon such terms and conditions as it may impose.

PRESIDENT—POWERS AND DUTIES

SEC. 14. *Powers and Duties of the President.*—The President of the Bank shall, among other powers and duties, execute and administer the policies, measures, orders and resolutions approved by the Board of Directors, and direct, and supervise the operation and administration of the Bank.

Particularly, he shall have the power and duty:

- a. To grant loans with maturities of not more than one year in the sums not exceeding Two Hundred Fifty Thousand Pesos (P250,000.00) to any individual, partnership or corporation. He shall submit a report of such loans granted by him under this authority to the Board of Directors at its next succeeding session,
- b. To execute all contracts in behalf of the Bank and to enter into all necessary obligations required or permitted by this Decree upon proper authorization by the Board of Directors,
- c. To report weekly to the Board of Directors the main facts concerning the operations of the Bank during the preceding week and to recommend changes in rates of discounts of exchange as well as changes in policies which he may deem advisable;
- d. To submit an annual report to the President of the Philippines on the result of the operations of the Bank;
- e. To recommend the appointment, promotion, shifting or removal of all subordinate officers and employees of the Bank;
- f. To exercise the powers of general supervision and administration attached to the position of President, and all other powers that may be granted by the Board;
- g. To delegate any of his powers, duties or functions to any official of the Bank, with the approval of the Board of Directors.

LEGAL COUNSEL

SEC. 15. *Legal Counsel.*—Any provision of laws, existing executive orders and administrative orders to the contrary notwithstanding, all legal cases and matters of the Philippine National Bank shall be exclusively handled, controlled and supervised by a Chief Legal Counsel of the Bank who shall be chosen and may be removed for cause by the Board of Directors.

AUDITING DEPARTMENT

SEC. 16. *Bank Auditor and personnel of the Auditing Department—Appointment and removal—Salaries and expenses—Audit reports.*—The Commission on Audit shall be the ex-officio auditor of the Philippine National Bank and shall, with the approval of the Board of Directors and the President of the Philippines, appoint a Bank Auditor who shall be the head of the Auditing Department of the Bank. The provisions of other laws to the contrary

notwithstanding, the salary of the Bank Auditor shall be fixed by the Commission on Audit, with the approval of the Board of Directors and the President of the Philippines.

All the other employees of the Auditing Department shall be appointed or removed by the Commission on Audit with the approval of the Board of Directors, subject to the Civil Service Law and the established personnel policies of the Bank. In making these appointments, the Commission on Audit shall be guided by a list of qualified and eligible personnel to be submitted by the Bank Auditor with a certification that merit and seniority have been strictly observed. The salaries of these employees shall be fixed by the Commission on Audit, with the approval of the Board of Directors and the President of the Philippines, in accordance with the job evaluation program of the Bank. The Bank Auditor and his subordinate personnel shall also receive such allowances and privileges as may be authorized and approved by the Board of Directors.

The operating expenses of the Auditing Department, including salaries and traveling expenses of the employees thereof, shall be payable by the Bank. The Board of Directors shall make the necessary appropriation therefor which shall not exceed three (3%) per cent of the gross income of the Bank during the preceding calendar year.

The Bank Auditor shall, quarterly or as often as the exigencies of the service may require, submit an audit report on the financial condition of the Bank, as well as the result of its operation, to the President of the Philippines, the Secretary of Finance, the Commission on Audit and the Board of Directors of the Bank. The report shall contain, among other things, a statement of resources and liabilities, earnings and expenses, the amount of capital stock, dividends paid, surplus reserves, undivided profits, as well as the losses, bank debts, suspended and overdue papers carried in the Bank's assets as of the day in which the statements are compiled.

APPOINTMENT AND REMOVAL OF THE OTHER OFFICERS AND EMPLOYEES OF THE PHILIPPINE NATIONAL BANK

SEC. 17. *Other officers and employees, appointment and removal—Salaries.*—All other officers and employees of the Bank shall be appointed and removed by the Board of Directors, on recommendation of the President. Said officers and employees shall belong to the exempt category under the Civil Service Law by reason of the technical nature of their employment. Officers may be transferred or re-assigned according to the sound judgment of the

Board of Directors. The duties and compensation of said officers and employees shall be fixed by the Board of Directors upon recommendation of the President: Provided, That whenever the Chairman or any member of the Board, by order of the Board of Directors, shall temporarily or permanently perform duties incumbent upon other officers, they may be granted compensation therefor, subject to the written approval of the President of the Philippines.

SEC. 18. *Officers and employees prohibited from striking.*—It is the declared policy of this Decree that the Bank is an instrument of national monetary policy and its operation affect national interest. Accordingly, the officers and employees of the Bank shall not strike for the purpose of securing changes or modifications in their terms and conditions of employment but such officers and employees may belong to any labor organization which does not impose the obligation to strike or to join in strike.

CONFIDENTIAL INFORMATION

SEC. 19. *Inspection of the Bank; prohibition on persons authorized to inspect Bank's condition.*—The Bank shall be subject to inspection by the appropriate department of the Central Bank of the Philippines.

The head of the said department making the examination and his agents, the Chairman and members of the Commission on Audit and their representatives, or other officers designated by law to inspect or investigate the condition of the Bank shall not reveal to any person other than the President of the Philippines, the Secretary of Finance, the Monetary Board of the Central Bank and the Board of Directors, the details of the inspection or investigation.

SEC. 20. *Confidential Information.*—Banking transactions relating to loans, credit accommodations, and all deposits of whatever nature are confidential in character and may not be examined, inquired or looked into by any person, government official, bureau or office, except as provided in the preceding Section, or upon written permission of the client, or upon order of a competent court, after due hearing, and only in cases where the money deposited or the transaction concerned is the subject matter of the litigation.

Production of banking records or giving testimony relative to the details of Bank transactions or deposits may be ordered by a competent court only after formal notice and hearing and due finding that the transactions or deposits to which they pertain are the subject matter of the litigation, or in cases of impeachment, bribery, or

derelection of duty of public officials, or for violations of the Anti-Graft and Corrupt Practices Law.

SEC. 21. *Prohibition on Officers and Employees of the Bank.*—Except in the situations authorized in Sections 19 and 20, no officer or employee of the Bank shall reveal to any third person, government official, bureau or office any information relative to the details of banking transactions, all deposits of whatever nature, and such other matters which the Board of Directors may classify as confidential in character, unless authorized by the Board of Directors.

This prohibition shall not apply to the exchange of credit information among government financial institutions or among banks, in accordance with established banking practices.

PROHIBITION AGAINST OWNING STOCKS IN OR BEING INDEBTED TO THE BANK

SEC. 22. *Prohibition against owning stock in or incurring indebtedness to the Bank.*—The Secretary of Finance the Governor of the Central Bank and the members of the Monetary Board of the Central Bank, the officers and employees of the appropriate department of supervision of the Central Bank, the officials of the NEDA, the Chairman and members of the Commission on Audit, the Bank Auditor and the employees of the Auditing Department are prohibited from owning stock of the Bank in their personal capacity or from becoming directly or indirectly indebted or liable for any credit accommodation to the Bank.

This prohibition shall become effective one year from the date of approval of this Revised Charter.

PROHIBITED TRANSACTIONS AFFECTING BANK PERSONNEL

SEC. 23. *Loans to officers, directors, and employees—Restriction and limitations.*—The National Bank shall not, directly or indirectly grant loans to any director, officer, employee, or agent of the Bank, and no loan shall be granted to a corporation, partnership, or company wherein any member of the Board of Directors is a shareholder, agent, or employee in any manner, except by the unanimous vote of the members of the Board present, excluding the member interested: Provided, That the total liabilities to the Bank of any corporation wherein any of the members of the Board of Directors is a shareholder, agent or employee in any manner, shall at no time exceed five per centum of the surplus and paid-up capital of the Bank.

DISPOSAL OF REAL ESTATE ACQUIRED IN THE COLLECTION OF DEBTS

SEC. 24. *Disposal of real estate and other properties in the collection of debts.*—Real estate and other properties acquired by the Bank in the collection of debts or investments by way of foreclosure or other means shall be sold or disposed of in accordance with the policies and guidelines adopted by the Board of Directors, within five years after date of their acquisition.

The sale or disposal shall be effected either by private negotiations and sale or by public bidding, in accordance with the policies and guidelines to be established by the Board of Directors.

SEC. 25. *Right of redemption of foreclosed property—Right of possession during redemption period.*—Within one year from the registration of the foreclosure sale of real estate, the mortgagor shall have the right to redeem the property by paying all claims of the Bank against him on the date of the sale including all the costs and other expenses incurred by reason of the foreclosure sale and custody of the property, as well as charges and accrued interests.

The Bank may take possession of the foreclosed property during the redemption period. When the Bank takes possession during such period, it shall be entitled to the fruits of the property with no obligation to account for them, the same being considered compensation for the interest that would otherwise accrue on the account. Neither shall the Bank be obliged to post a bond for the purpose of such possession.

RIGHT TO DEMAND ADDITIONAL COLLATERALS IN CASE OF DEFICIENCY

SEC. 26. *Right to demand additional collaterals in case of deficiency; advance maturity of obligations—Disposal of the collaterals—Right to collect deficiency.*—If for any cause whatsoever any of the collaterals accepted by the Bank as security for loans or other credit accommodations should decline or depreciate in market value in whole or in part, or upon breach of any terms and conditions contained in the contracts executed by the debtors, or in case of multiple obligations with common collaterals, one of more but not all obligations are due and demandable, the Bank may demand additional collaterals or may forthwith declare any such obligation due and payable. In case of failure to put up the required collaterals, the Bank may, upon three (3) days notice, sell the said collaterals, either in whole or in part, at a public or private sale at the option of the Bank. At such public sale, the Bank may itself purchase the whole or any part of the proper-

ties sold. In case of a private sale, after deducting all costs or expenses of any kind for collection, sale or delivery, the Bank shall apply the proceeds of the sale to the payment of the obligations and in case there is any deficiency, the debtor shall remain liable to the Bank for such deficiency arising from the sale or sales.

RIGHT OF THE DEBTOR TO THE SURPLUS OF
SALES PROCEEDS AND LIABILITY FOR
DEFICIENCY

SEC. 27. *The right of the debtor to surplus and his liability for deficiency.*—The debtor shall be entitled to collect from the Bank that portion of the proceeds of the sale in excess of his total outstanding obligations, including interests, charges thereon and other expenses in the sale. If the proceeds of the sale of the collaterals do not cover the full amount of the obligations together with interest and charges thereon and the expenses of the sale, the debtor shall be liable for the difference and the Bank may proceed by legal action against him for deficiency.

This provision shall likewise apply to the sale of pledged properties.

SEC. 28. *Prohibition against writing-off of loans without prior Central Bank approval.*—Writing-off of loans and advances with an out-standing amount of one hundred thousand pesos or more shall require the prior approval of the Monetary Board of the Central Bank of the Philippines.

SEC. 29. *Application of the Revised Penal Code.*—The provisions of Title Four, Chapter One of Act Numbered Thirty-Eight Hundred and Fifteen, known as the Revised Penal Code, are hereby made applicable to violations of law consisting in the making or causing to be made, and circulating or causing to be circulated, forged notes and bonds in imitation of those of the Bank.

SEC. 30. *Prohibited Interest or Fees With Reference to Obtaining Loans.*—A director, officer, employee, or agent of the Bank shall not directly or indirectly have any pecuniary interest in any loan from the Bank. Neither shall he charge, exact, demand or receive any fee, charge or commission in any form for his service or the use of his influence in obtaining a loan. Any violation of this Section shall be punished as hereinafter established in Section 37 of this Decree.

NET PROFITS

SEC. 31. *Allocation of net profits.*—At the close of the calendar year, the Bank shall determine the net results of its operations in the calculation of which adequate allowances shall be made probable losses. Of the net profits arrived at, at least fifty (50%) per cent shall be set aside

for the declaration of dividends corresponding to the shares of the Government and the private stockholders. The remaining net profits shall be accumulated in the surplus account which shall be utilized for such purposes as may be authorized by the Board of Directors.

DIVIDENDS ON GOVERNMENT SHARES

SEC. 32. *Payment of dividends corresponding to Government-owned shares.*—The dividends declared corresponding to the shares of the Government shall be set aside and are hereby appropriated to form a special securities sinking fund which shall be used for the sole purpose of retiring the Government bonds and/or other securities issued by the Secretary of Finance pursuant to Section Four of this Revised Charter. This special fund shall be deposited with the Bank which shall be the trustee thereof until the purpose for which it was created shall have been accomplished. Any and all income that may accrue thereon shall form part of the fund. After the retirement and payment of the bonds, including the interest thereon, shall have been made from the special fund, the residue remaining shall be used to pay for additional Government subscription that may be authorized by the President of the Philippines on the unissued shares of the authorized capital stock of the Bank. Thereafter, all dividends corresponding to the Government-owned shares shall be paid into the Treasury of the Philippines for the general funds thereof.

TAX ON TRANSACTIONS WITH THE REPUBLIC AND ITS AGENCIES

SEC. 33. *Documentary and science stamp taxes.*—Documents, instruments, or deeds of any kind, stock certificates, checks, drafts, acceptances, certificates of deposit, bills of exchange, promissory notes, letters of credit, indemnity and/or performance bonds, or similar instruments made, issued, signed, accepted, or transferred by the Bank in favor of, or for the account or benefit of the Republic of the Philippines, its branches, subdivisions, or instrumentalities shall be exempt from any and all documentary and science stamp taxes upon approval of the Secretary of Finance.

LEGAL EXISTENCE

SEC. 34. *Term of Legal Existence.*—The legal existence of the Bank shall be for a period of fifty years, counting from the date of approval of this 1975 Revised Charter of the Bank.

ILLEGAL USE OF THE WORD "NATIONAL"

SEC. 35. *Prohibition against use of word "National"—Penalty for violation.*—All banks other than the Philippine

National Bank and such other banks now licensed to do business in the Philippines whose name already includes the word "National" are prohibited from using the word "National" as portion of their name or title, and any violation of this prohibition shall subject the party chargeable therewith to a penalty of not less than one hundred pesos for each day during which it is committed or repeated.

REPEAL AND SEPARABILITY CLAUSES

SEC. 36. *Repeal of Acts inconsistent herewith.* All acts, executive orders, administrative orders, proclamations, rules and regulations or parts thereof inconsistent with any of the provisions of this Decree are hereby repealed or modified accordingly.

If any provision or section of this Decree or the application thereof to any person, association or circumstances is held invalid, the other pertinent provisions or sections of this Decree and their application to such person, association or circumstances shall not be affected thereby.

PENALTIES

SEC. 37. *Penalties for violation of the provisions of this Decree.*—Any director, officer, employee or agent of the Bank, who violates or permits the violation of any of the provisions of this Decree, or any person aiding or abetting the violations of any of the provisions of this Decree, shall be punished by a fine not to exceed ten thousand pesos or by imprisonment of not more than five years or both such fine and imprisonment.

SEC. 38. The provisions of Republic Act numbered Two hundred and sixty-five, as amended, and Three hundred thirty-seven, as amended, insofar as they are applicable and not in conflict with any provision of this Decree, shall apply to the Philippine National Bank.

SEC. 39. This Decree shall take effect upon its approval.

Done in the City of Manila, this 8th day of May, in the year of our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE No. 695

APPROPRIATING THE SUM OF THIRTY MILLION
PESOS TO AUGMENT THE RESOURCES OF THE
INDUSTRIAL GUARANTEE AND LOAN FUND.

WHEREAS, the Industrial Guarantee and Loan Fund (IGLF) has been constituted to provide for necessary financing of small and medium-scale industries (SMSI) throughout the country;

WHEREAS, the availment of IGLF financing has been such that its funds have been depleted and unless immediately augmented, IGLF operations will have to be suspended to the detriment of numerous applicants whose projects have been approved;

WHEREAS, under the original agreement which set up the IGLF Fund between the Philippine Government and the United States Agency for International Development (AID) both parties are authorized to augment the assets of the IGLF;

WHEREAS, a counterpart contribution of Thirty Million Peson (P30 M) is required for the IGLF to match the proposed loan of Twelve Million Dollars (\$12 M) from the International Bank for Reconstruction and Development (IBRD) as part of a loan package for SMSI;

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers vested in me by the Constitution do hereby decree and order the following measure as part of the law of the land:

SECTION 1. The amount of Thirty Million Pesos (P30 M) is hereby appropriated from the funds of the National Treasury and otherwise appropriated to the National Economic and Development Authority, as custodian of the IGLF, in order to augment the resources of the Industrial Guarantee and Loan Fund to be administered by the Central Bank of the Philippines.

SEC. 2. This Decree shall take effect immediately.

Done in the City of Manila, this 8th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS
President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

MALACAÑANG
RESIDENCE OF THE PRESIDENT OF THE PHILIPPINES
MANILA

PRESIDENTIAL DECREE No. 696

REVISING PRESIDENTIAL DECREE NO. 286, DATED
SEPTEMBER 5, 1973, AS AMENDED, OTHERWISE
KNOWN AS THE CHARTER OF THE PHILIPPINE
AEROSPACE DEVELOPMENT CORPORATION
AND FOR OTHER PURPOSES.

I, FERDINAND E. MARCOS, Commander-in-chief of all the Armed Forces of the Philippines, pursuant to Proclamation Order No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, and in order to strengthen the corporate structure of the Philippine Aerospace Development Corporation, do hereby order and decree the revision of its charter, Presidential Decree No. 286, dated September 5, 1973, as amended, which shall henceforth read in its entirety as follows:

WHEREAS, it has been a continuing national policy to develop an integrated land, sea, and air transport infrastructure throughout the country;"

"WHEREAS, it is the policy of government to encourage and promote the development of advanced technology in the country in order to improve the quality of life of our people;"

"WHEREAS, in order to optimize the national utility of the aviation and aerospace industry, a definite policy for its rationalization has become imperative;"

"WHEREAS, such a rationalization calls for positive government involvement and initiative in the development and improvement of air transport services and facilities in the development of local capability for design, assembly and manufacture of appropriate aircraft or aerospace-related devices; and the development and improvement of the technical, maintenance and engineering services required to support the above activities;"

"WHEREAS, such government involvement and initiative shall in the long run result in substantial savings of the valuable foreign exchange, effect standardization of aerospace and associated ground equipment and facilities, optimize the utilization of skilled manpower in the country, and extend air transport services to a larger segment of the population as well as increase and improve such services between the country and the outside world;"

"WHEREAS, such a government involvement and initiative shall further the national objective and policy of developing national self-reliance, best serve the interests of national security, and facilitate the performance of other essential governmental functions, such as mail service, relief and rehabilitation and other civic undertakings;"

"WHEREAS, a well-developed and technically reliable aviation and aerospace industry shall serve to meet the market demands and service requirements of neighboring countries in Southeast Asia;"

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers vested in me by the Constitution as Commander-in-chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, and in order to effect the desired

changes and reforms in the social and economic structure of our Society, do hereby order and decree that:

“SECTION 1. *Creation of the Corporation.*—There is hereby created a body corporate and politic under the Office of the President of the Philippines to be known as the Philippine Aerospace Development Corporation, hereinafter referred to as the Corporation, which shall be governed by this Decree and its bylaws as authorized hereunder and shall have succession for a period of fifty (50) years from and after the date of approval of this Decree. The principal office of the Corporation shall be located in a place to be determined by the Board of Directors.”

“SEC. 2. *Purpose of the Corporation.*—The Corporation, by itself or through its subsidiary/subsidiaries, shall undertake all manner of activity, business or development projects for the establishment of a reliable aviation and aerospace industry that shall include but not be limited to:

- a. The design, assembly, manufacture, and sale of all forms of aircraft and aviation/aerospace devices, equipment or contraptions, and studies or researches for innovations and improvements thereon.
- b. The development of local capabilities in the maintenance, repair/overhaul, and modification of aerospace and associated flight and ground equipment and components thereof in order to provide technical services and overhaul support to government agencies owning aerospace equipment, the Philippine Air Force, the national airline, foreign airline companies, foreign air forces and to the aviation industry in general.
- c. The operation and provision of air transport services, whether for cargo or passengers on a scheduled, non-scheduled, or charter basis on domestic and/or international scale.”

“SEC. 3. *Powers of the Corporation.*—In order to accomplish the foregoing corporate purpose, the Corporation shall be vested with the following powers:

- a. To prescribe and thereafter to amend and repeal its by-laws not inconsistent with this Decree;
- b. To adopt and use a seal and alter it when necessary;
- c. To sue and be sued in any court, Provided, that PADC, shall, unless it consents otherwise, be immune to suits for acts *ex delicti*;
- d. To carry on any other lawful business whatsoever in pursuance of or in connection with the foregoing primary purpose;
- e. To enter into, make, perform and carry out contracts of every kind and description for the foregoing corporate purpose with any person, firm or association or corporation, domestic or foreign; to have one or more offices in and outside of the Philippines, and to conduct its business and exercise its power throughout and in any part of the Republic of the Philippines and/or in any and all foreign countries, states and territories;
- f. To hold public agricultural lands and mineral lands in excess of the areas permitted to private corporations, associations and persons by the laws of the Philippines for a period not exceeding twenty-five years renewable by the President of the Philippines for another twenty-five years;

- g. To acquire, hold, mortgage and alienate personal and real property in the Philippines or elsewhere;
- h. To purchase, hold, alienate, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or any bond, security of other corporations or associations of this or any other country, and while the owner of said stock, to exercise all the rights of ownership including the right to vote thereon;
- i. To borrow funds, from any source, private or government, foreign or domestic;
- j. To invest, own or otherwise participate in equity in any establishment, firm or entity engaged in the aviation and aerospace industry; to form, organize, establish and maintain subsidiary or subsidiaries;
- k. To submit to the President of the Philippines, whenever appropriate, recommendations on policies and measures that shall promote and stabilize the industry, including recommendations on import and export limitation, tariffs, subsidies or anti-dumping measures and to recommend to the appropriate authorities such policies and measures as may be necessary to promote the development of the aviation and aerospace industry;
- l. To cooperate, coordinate and exchange such information, studies and reports with; and to seek such cooperation and coordination from the private sector as well as other departments, agencies and instrumentalities of the National Government as will most effectively contribute to the achievement of the purpose of this Decree;
- m. To coordinate, cooperate and consult with the Department of National Defense and its affiliated entities on activities of the Corporation related to national defense and security and to avail itself of or share any resources, incentives exemptions or benefits granted or in connection with national defense and security activities under laws, rules and regulations now existing or hereafter promulgated;
- n. To execute any and all acts which a partnership or a natural person is authorized to perform under the laws now existing or which may hereafter be enacted and;
- o. To exercise such powers and perform such acts as may be necessary to carry out the purpose for which the PADC was established or which from time to time may be declared by the Board of Directors to be necessary, useful, incidental or auxiliary to accomplish such purpose."

"SEC. 4. *Capital Stock and Appropriation Therefor.* The Corporation shall have a capital stock divided into FIVE MILLION no-par shares to be subscribed, paid for and voted on as follows:

- a. Two million shares of stock shall be subscribed and paid for by the Government of the Republic of the Philippines. Such shares shall have an initial value of forty pesos (P40.00) per share and may be redeemed by the Corporation and resold only to the National Government at re-issue value determined by the Board of Directors and approved by the President of the Philippines. For this purpose the amount of P10 million set aside and appropriated from the General Fund, under Presidential Decree No. 286, dated September 5, 1973, and an additional sum of SEVENTY MILLION PESOS out of the General Fund, not otherwise appropriated, are hereby appropriated for the payment

of the two million shares subscribed by the Republic of the Philippines.

- b. Five hundred shares of stock shall each be subscribed and paid for by the Development Bank of the Philippines and the Government Service Insurance System at issue values to be determined by the Board of Directors of the Corporation.
- c. Subject to the approval of the President of the Republic of the Philippines, the remaining two million shares shall be subscribed to by the Government of the Republic of the Philippines or any of its national financial institutions or government-owned or controlled corporation at issue values to be determined by the Board of Directors of the Corporation. In no case, however, shall the Government lose majority control over the total number of voting shares of the Corporation.
- d. Twenty-five percentum of the value of all stock subscribed under paragraphs (b) and (c), this section, shall be paid for at the time of subscription, and the balance thereof shall be subject to call upon a majority vote of the Board of Directors.
- e. The voting power pertaining to shares of stock subscribed by the Government of the Republic of the Philippines shall be vested in the President of the Philippines or in such person or persons as he may designate.
- f. The voting power pertaining to shares of stock subscribed by the Development Bank of the Philippines and the Government Service Insurance System shall be vested in the Chairman, Board of Governors, and the General Manager, respectively.
- g. The voting power pertaining to shares of stock hereinafter subscribed by or transferred to national financial institutions or government-owned or controlled corporations shall be vested in the Chairman of their respective Board of Directors/Trustees, or, in the absence of a Board of Directors/Trustees, or when so delegated by the Chairman of the Board of Directors/Trustees, in their respective chief executive official.
- h. Each share of stock shall represent one vote. Issuances or transfers of shares shall be allowed only upon offer of such shares for subscription or purchase having first been made to the Government of the Republic of the Philippines. Any agreement, contract, arrangement, scheme or plan that shall transfer ownership and voting rights over such shares such that the majority control by the National Government over the total number of voting shares of the Corporation shall be impaired is prohibited."

"SEC. 5. *Authority for Fund Appropriation.* In addition to the appropriation of funds authorized under Section 4, paragraph (a), there are hereby set aside and appropriated from the General Fund, not otherwise appropriated, such amounts as may be necessary to pay for (1) the total reissue values of shares of stock whenever the same are resold by the Corporation to the National Government under Section 4, paragraph a, (2) any subscription of the National Government under Section 4, paragraph c and (3) any subscription of the National Government to the capital stock of subsidiaries of the Corporation under Section 8."

"SEC. 6. *Board of Directors.*—The Corporation shall be governed and its activities shall be directed, controlled and managed by a Board of Directors which shall be composed of the following ex-officio members, namely the Executive Secretary, the Secretary of Finance, the Secretary of Industry, the Secretary of National Defense, the Chairman, Board of Governors of the Development Bank of the Philippines, the General Manager of the Government Service Insurance System and three (3) other members to be appointed by the President of the Philippines. The first three appointive directors shall serve for a term of one (1) year, the second, for a term of two (2) years, and the third, for a term of three (3) years, after which their successors shall serve for a term of two (2) years. In addition, any official exercising voting powers in accordance with Section 4, paragraph g, of this Decree shall automatically become an ex-officio member of the Board of Directors, provided that the number of shares of stock of the Corporation owned or subscribed by the institution represented by such official constitute at least nine per centum (9%) of the total subscribed capital stock of the Corporation. All members of the Board, whether appointed or ex-officio shall enjoy the same powers, rights, and privileges as may be established by the Board for the conduct of its affairs. The President of the Philippines shall appoint a Chairman from among the directors."

"SEC. 7. *Functions and Duties of the Board of Directors.*—The General functions and duties of the Board of Directors shall be as follows:

- a. To prescribe and amend by-laws of the Corporation.
- b. The Board shall appoint and fix the salaries of such executive officers and other officials and employees as may be necessary for the management and internal administration of the Corporation, except that the appointing power may be delegated by the Board to the Management of the Corporation.
- c. To act as initial incorporators of any subsidiary formed by the Corporation.
- d. The Board shall establish such number of Divisions and/or Departments in the Corporation as may be necessary for the accomplishment of its corporate purpose.
- e. The Board shall constitute appropriate standing committees that it may deem necessary to effectively carry out its governing powers over the affairs and activities of the Corporation.
- f. The Board shall submit to the President of the Philippines and shall publish an annual report of the condition of the Corporation on or before the 15th day of September of each year."

"SEC. 8. *Subsidiaries, Definition.*—The Corporation shall have the power to form, establish, organize and maintain subsidiary corporation or corporations. Such subsidiary or subsidiaries shall be formed in accordance with the Philippine Corporation Law and existing rules and regula-

tions promulgated by the Securities and Exchange Commission, unless otherwise provided in this Decree.

A subsidiary of the Corporation shall have a Board of Directors of at least five (5) members of which at least one of the directors shall be elected from among the members of the Board of Directors of the Corporation. In addition, the Chief Executive Official of the Corporation, or his designated representative from the Corporation, shall be an ex-officio member of the Board of Directors of each subsidiary established by the Corporation.

In all cases, the Corporation shall own at least fifty-one percentum (51%) of the capital stock of each subsidiary. Subject to the foregoing conditions, the capital stock of a subsidiary may be offered for subscription to the Government of the Republic of the Philippines, its national financial institutions or government-owned or controlled corporations, or to the private sector, domestic or foreign, provided that subscriptions by the National Government shall be subject to the recommendation by the Board of Directors of the Corporation and approved by the President of the Philippines.

Unless otherwise provided in this Decree, a subsidiary of the Corporation shall be entitled to all the benefits, privileges and exemptions expressly granted to the Corporation under this Decree, provided that the combined total of at least eighty (80%) percentum of its authorized capital stock is owned by the Corporation either entirely or in combination with the National Government, its national financial institutions or government-owned or controlled corporations.

A subsidiary shall be governed by its Board of Directors, provided that no policies shall be prescribed or adopted that are inconsistent with or contrary to the objectives set forth in this Decree and policies established by the Board of Directors of the Corporation for the conduct of the affairs of the Corporation and its subsidiaries."

"SEC. 9. *The Auditor*.—The Chairman of the Commission on Audit shall appoint a representative who shall be the Auditor of the Corporation and its subsidiaries. He shall likewise appoint the necessary personnel to assist said representative in the performance of his duties. The salaries of the auditor and his staff shall be fixed by the Chairman of the Commission on Audit with the advise of the Board of Directors, and said salaries and other expenses for the auditor's office shall be paid by the Corporation. The Auditor of the Corporation and personnel under him may be removed only by the Chairman of the Commission on Audit.

The Auditor must be a certified public accountant with at least ten (10) years experience as a certified public

accountant. No relative of any member of the Board of Directors of the Corporation or its subsidiaries or the Chairman of the Commission on Audit within the fourth degree of consanguinity or affinity shall be appointed as such representative."

"SEC. 10. *Exemptions*.—The Corporation shall be exempt from all national and local taxes, duties and fees for a period of seven (7) years from the date set under Section 14 hereof, or, in the case of a subsidiary defined under Section 8 hereof as eligible for such exemption from the date of its incorporation if such date is later than the date set under Section 14 hereof, provided that no subsidiary shall be exempt from payment of corporate income tax.

Further, within said period the Corporation shall not be subject to tariff, compensating tax and all other taxes, assessments and charges for their importation of machineries, equipment, devices, goods and spare parts and other items to be used for the purpose authorized under this Decree.

All transactions between the Corporation and its subsidiaries or among the subsidiaries shall likewise be exempt from tariff duties, taxes, and other duties during the life of the Corporation, provided that subsidiaries eligible for this exemption shall be limited only to those defined in Section 8 of this Decree as entitled to all benefits, privileges and exemptions provided under this Decree.

The exemptions granted herein are in addition to any exemptions, benefits, or privileges which the Corporation or its subsidiaries may be qualified for under existing laws, rules regulations."

"SEC. 11. *Foreign Loans*.—The Corporation, through its President or any duly authorized representative, upon approval by the Board of Directors, is hereby authorized to contract loans, credits in any convertible foreign currency or capital goods, and indebtedness from time to time from foreign governments, or any international financial institutions or fund sources, or to issue bonds, the total outstanding amount of which, exclusive of interest, shall not exceed one billion United States Dollars or the equivalent thereof in other currencies, on such terms and conditions as it shall deem appropriate for the accomplishment of its purposes and to enter into and execute agreements and other documents specifying such terms and conditions.

Further, the President of the Philippines, by himself, or through his duly authorized representative, is hereby authorized to negotiate and contract with foreign governments or any international financial institutions or fund sources, in the name and in behalf of the Corporation, one or several loans, for the accomplishment of its purpose.

The President of the Philippines, by himself, or through his duly authorized representative, is hereby further authorized to guarantee, absolutely and unconditionally, as primary obligor and not as surety merely in the name and in behalf of the Republic of the Philippines, the payment of the loans, credits, indebtedness and bonds issued as well as the performance of all or any of the obligations undertaken by the Corporation in the territory of the Republic of the Philippines pursuant to loan agreements entered into with foreign governments or any international institutions or fund sources.

The loans, credits, and indebtedness contracted under this subsection by the Corporation or by the President of the Philippines or his duly authorized representative in behalf of the Corporation, and the payment of the principal, interests and other charges thereon, as well as the importation of machinery, equipment, materials, and supplies by the Corporation, paid from the proceeds of any loan, credit or indebtedness incurred under this Decree, shall be exempt from all direct and indirect taxes, fees, imports, other charges and restrictions, including imports restrictions imposed by the Republic of the Philippines or any of its agencies and political sub-divisions.

Interests payments on foreign loans shall likewise be exempted from withholding tax if the Corporation has assumed the liability for payment of the tax due from the lender-remittee.

The tax exemption privilege granted under this section is not limited to the time period prescribed under Section 10 of this Decree."

"SEC. 12. *Corporate Personnel*.—Appointments to position in the Corporation other than to those classified under the clerical and janitorial categories are hereby deemed as either primarily confidential or highly technical in nature. The positions and corresponding wage structure adopted by the Corporation shall be exempt from the coverage of the Wages and Positions Classification Office. Officials and employees of the Corporation shall be entitled to insurance coverage and other employee benefits under the Government Service Insurance System. Employment by the Corporation of persons previously retired from government service shall be subject to existing applicable laws.

Other government officials and government-owned or controlled corporations shall extend such assistance as may be needed by the Corporation or any of its subsidiaries, including the detail assignments of its officers and employees to the Corporation or any of its subsidiaries on a full or part time basis. Notwithstanding any provision of law to the contrary, such officials and employees,

as well as Directors of the Corporation and its subsidiaries shall receive allowances or other emoluments from the Corporation and/or its subsidiaries."

"SEC. 13. *Fiscal Year*.—The Corporation shall observe the fiscal year beginning on July 1 of one year and ending on June 30 of the following year."

"SEC. 14. *Effectivity of the Revised Charter*.—This Decree shall take effect upon its approval. The Chairman of the Board, shall within thirty (30) days from the date of his appointment, call for an organizational meeting of the Board in order that corporate business may immediately be commenced. The new provisions on tax exemption, privileges granted to the Corporation and its subsidiaries shall, however, be effective beginning July 1, 1974."

Done in the City of Manila, this 9th day of May, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

MGA KASULATAN AT DOKUMENTONG PANGKASAYSAYAN

(HISTORICAL PAPERS AND DOCUMENTS)

THE PHILIPPINES IN A NEW ASIA

By FERDINAND E. MARCOS

President of the Philippines

(SPEECH AT THE CLOSING SESSION OF THE NATIONAL BUSINESS CONFERENCE SPONSORED BY THE PHILIPPINE CHAMBER OF COMMERCE, DEVELOPMENT BANK OF THE PHILIPPINES AUDITORIUM, MAY 23, 1975.)

Ngayon lamang marahil nagkatipun-tipon ang mga kina-tawan ng pangangalakal mula sa Maynila at sa ibang pook ng bansa. Sapagkat ang kaugalian ng Chamber of Commerce kapag ito ay tumatawag ng pagtitipon ay tila taga-Maynila lamang ang napapakinggan. Ang ngayong pagtitipon na tinawag ni Freddie Elizalde ay kaibang-kaiba sapagka't tinawag niya ang lahat ng kasapi ng Chamber of Commerce sa lahat ng panig at sulok ng bansang Pilipinas. Kaya't ang mga kapasyahan na narinig natin ay nagmula sa iba't-ibang dako, mga lungsod at mga bayan. At ang mga resolusyon na ibinigay sa akin ay parang resulta ng reperendum.

Kaya ako ay natutuwa sapagkat ang naririnig nating tinig ay di lamang tinig ng mga naririto sa loob ng Lungsod ng Maynila kundi tinig ng buong mamamayan ng Pilipinas.

Today I address a very clear representation of almost every corner of the Philippines and I am very happy about this development because indeed we are met in days critical to the nation and critical to our Republic. And in these days it is best that we seek to find all our policies and our decisions not on the basis of the opinion and the voice of the elite but on the basis of the ideals, thoughts, and opinion of the entire Filipino people.

And that is why, first of all, let me congratulate the Chamber of Commerce and its leadership. Let me congratulate your president, Freddie Elizalde, for this successful conference.

I am glad that today we can obtain a consensus from businessmen. I gather that Freddie Elizalde has been going around the country, to the South, to the Visayas and to all of the Chambers of Commerce in the Philippines.

I read about the fact that Angeles City and Olongapo City immediately convoked meetings on the present policies, sa ating mga patakarang panlabas or what you call

foreign policy, the question of the bases, the question of security and also domestic policy in relation to our security.

Formerly the Chamber of Commerce was only interested in profits. I say this with, of course, tongue in cheek because as you know I have always felt that we made the correct decision when upon proclaiming martial law I discarded the advice of a greater number of advisers who insisted that we set up a revolutionary government. You would remember what I had said before and I would like to restate it.

When I was about to proclaim martial law I sought the advice of many people and a great number of the advisers said "it is easier to build a new house than to repair an old decrepit, sagging building." And their recommendation was, "wipe out the entire framework of government, wipe out and start clean." In short, establish a revolutionary government.

But as you very well know, to do so would have risked the possibility of not only bloodshed, but unrestrained and unlimited bloodshed. Every man with a gun would have been a law unto himself. Even the armed forces would not have known the limits of their powers. And the civil government would of course have been eliminated unless we immediately instituted a replacement. But again I felt that a Constitution should be maintained as a guide for everyone whether it be the armed forces, the civil government or the individual citizens.

At the same time there was this decision to make—whether the government would take over everything including the activities in the industrial, the business and trading sectors.

As you very well know, this is one of the more critical areas of decision whenever there is any political crisis and whenever there is any economic crisis. Always the question crops up: "To what extent shall government step in?" And I have always sided with those who feel that free enterprise, the private sector should be permitted to contribute its share of initiative, endeavor, and energy.

If you will remember I said then and I say again, that it is my firm belief that while in certain cases it maybe necessary for government to take over certain areas of economic activity, by and large, it is best that the private sector be allowed free enterprise with the atmosphere set by government and the initiatives left to private individuals.

I say this very quietly and yet it was a great debate and the debate continues up to now. Up to now you hear any number of recommendations and suggestions that govern-

ment come in strongly, that the state come in forcefully into the business sector and to participate in private enterprise. And this is a challenge to statesmanship. It is a challenge to the political leadership as well as to the private sector that we maintain this balance that we have initiated, have continued and have sustained in the Philippines.

Occasionally there will be lapses; and the dialogues which we feel and we hope will continue, which are necessary between the public and the private sector should be able to settle these lapses.

The machinery that we are now setting up to meet all kinds of crises—world crises and local crises, domestic generated or foreign generated—such a machinery is human after all and occasionally we must reassess the solutions that we have initiated. It is a mark of the viability of our society, therefore, that government listens to the private sector and government acts on not only grievances but recommendations of the private sector.

Today, therefore, it is my privilege and I consider it an honor to receive the resolutions, first, supporting the reassessment of foreign policy which I will speak more extensively on immediately and this report and recommendations by the national business conference of the Chamber of Commerce. All these papers I now refer to the corresponding departments, offices and agencies in government with the directive and order that these recommendations be immediately acted upon. *Teka muna, palakpak kayo ng palakpak.* Hindi naman ako sasangayon sa lahat ng inyong rekomendasyon. All I want is that the offices and officers concerned inform the chamber and all parties interested as to the action taken and why such action was taken. It is necessary that this initiative taken by the private sector, by the Chamber of Commerce, be encouraged; and certainly we cannot just encourage these initiatives by speeches and by the appearance of the President showing an interest in your affairs, but by official action which will relate directly to the enterprises, the businesses, the trades and industries in which the members are involved and which action may actually determine the survival or the death of such enterprises.

I, therefore, emphasize upon all my fellow administrators in government, the members of the cabinet, the heads of offices and agencies whether directly under my office or not to act on these recommendations as soon as possible, and usually when I say as soon as possible, I mean within seven days. What I would like to know is whether the offices concerned can act as fast as private sector because the private sector has come up with this bunch of recom-

mentations in a period of three days. Seven days certainly is much longer than three days.

Anyway, I would like to see this conversation, this dialogue, this rapport between the private sector and the public sector continue not only through the physical accessibility of the heads of offices but of the subordinates as well. This is a habit which we have initiated and which I would like to see continue, deeply implanted in Philippine society.

Now, I have been requested by your leadership to speak on foreign policy and I presume that many of you have come precisely to listen to this presentation.

During the last several years, the Philippines has been, of course, making several readjustments.

You remember that when I made a state visit to the United States in 1966, I brought Secretary Ramos of Foreign Affairs with me and he signed with Secretary Rusk, then Secretary of State of the United States, several amendments to some of our security treaties with the United States. One of these was the shortening of the 99-year period of lease of the military bases in the Philippines.

I refer to this because apparently everybody today is talking military bases, whether here or abroad, and some of the media men often refer to this amendment reducing from 99 to 25 years the period of the leases as the Bohlen-Serrano agreement.

The Bohlen-Serrano agreement refers to jurisdiction. It doesn't refer to the length of tenure of the military bases. The length of tenure was amended by the Rusk-Ramos amendments signed in my presence and that of President Johnson in Washington, D.C. in September of 1966.

We have sought the return of some of the areas in the military bases like Sangley, 10,000 hectares in Clark Airforce Base, some of the forest areas in Subic and several hundred hectares in Camp John Hay. We have further moved into continued discussion about various items pertaining to the military bases and other security arrangements.

There are three military agreements with the United States—the Military Bases Agreements, the Military Assistance Pact and the Mutual Defense Pact. They all tie up into what we refer to as security agreements with the United States.

Today, we look forward to a post-Vietnam era characterized by a four-power balance in Asia and a peace in Indochina based on a stable coalition of adversary forces.

In this world, Southeast Asia, which includes the Philippines would be granted a further grace of time in which to strengthen itself through intensified development.

Today, the post-Vietnam era, of course, is upon us, and it came upon us almost without notice. But its outlines differ considerably from the picture that we had anticipated. When I say "we" I mean even the political leadership, not only of this country but of all other countries. Even as I speak today, Laos, the last of the Indochina states, is perhaps facing a state of confusion. It raises the probability that the whole of Indochina will turn into a solid Communist bloc.

Far less re-assuring is the prospect of a great-power balance in Asia that we have always spoken of, for the partial disengagement of the United States from the continent is bound to create a disequilibrium conducive, at least in the short turn, to Asian and world insecurity.

We must accept the fact that the great powers will always be with us for they have legitimate interests in Asia. We must also accept the fact that there is and there will always be rivalries among them arising from their conflicting and differing interests. Such rivalries, however, can be turned to creative uses, for their own sakes as well as ours, by encouraging the formation of natural countervailing forces such that no one power will be tempted to capture hegemony of the entire region.

The fall of Indochina and the sharp diminution of American interest in the mainland of Asia, in particular perhaps also in Southeast Asia, have blurred the picture beyond recognition. And they raise a number of questions which there are no immediate or ready answers.

Will the People's Republic of China by the sheer force of necessity break her detente with the United States and turn to another power to strengthen her security?

Will Japan, with its direct and vital interests in Southeast Asia, be driven in the effort to defend these interests, to attain superpower status by developing its nuclear capability?

Will the Soviet Union, aware of an Asian vacuum, and already a considerable Asian power, rush in to try to fill that vacuum?

Will the United States continue to play a role in the continent by honoring its treaty commitments?

On the answers to these questions depend the exact shape of the new reality that is Asia. It may be a harsh world or again it may not be. But the very fact of disequilibrium encourages the rise of instability and insecurity which will

inevitably, of course, affect us, as well as all nations of Southeast Asia.

We cannot, therefore, wait for the complete resolution of these problems. We must begin to assess, in a rigorous fashion, our national interest in the light of these developments. We must begin to make needed adjustments in our domestic and foreign policies in order to assure our security and survival in a highly uncertain world.

But this we will not do—we shall not act in haste, we shall not act in panic.

However, this we must do—we must act before we find ourselves the victim of developments beyond our power to repair. Inaction and complacency in the face of this serious situation are themselves potent threats to the national interest.

Our most immediate danger is of course an expected rise in insurgency. Encouraged by the stunning, nay, dramatic triumph of their counterparts in Indochina, domestic dissidents are fully expected to increase the tempo of their activities. In many nations in Southeast Asia, the first stirrings of reactivated dissidence are beginning to be felt. Like our neighbors we must learn to cope with them, by the same political, economic and military measures which enabled us to defeat insurgent forces in the past.

But we are all aware of the danger. It remains for us to apply the lessons of history, our own and that of others.

Where the political will is lacking and where there is an unbridgeable distance between the people and the government, no known measures that we might undertake will be sufficient to overcome the adversary.

Vietnam and Cambodia fell despite the assistance of the greatest military power on earth because of these fatal deficiencies.

While improving our domestic military posture, therefore, we shall press forward our plans for economic and social development.

Thus, you can see the importance of your conference, the importance of the Chambers of Commerce, the importance of individual initiative, the importance of the private sector on whom we depend as active agents for modernization and for progress.

A mere policy of attraction, with its unfortunate connotations, is bound to be self-defeating. The policy is development in its widest possible sense, which means giving the people a vested interest in their own development and progress, and providing them a stake in the social

order which they will be willing to defend against all threats. In short, we must continue to pursue more aggressively the posture of self-reliance, particularly in the light of the new circumstances in Asia.

I have spoken at some length of our domestic policy because it is inextricably bound with our foreign policies.

For some time to come, what happens in the outside world and in our immediate external environment will continue to affect developments within our country. And our domestic policies are, to a large degree, projected outward in our international relations.

Some of these factors are beyond our control. The price of oil, for instance, did we anticipate in 1970 that the price of oil could rise to three, four times of the original price? We did not. And yet, to date, of course, we say, our inflation is imported. Oil brought it to our shores.

However, although we shall be firm in dealing with internal dissidence we shall no longer allow ideology to be a barrier to the widening of our international relations.

Our sole and self-sufficient criterion shall be the national interest.

In other words, we shall seek to widen our relations with any country regardless of ideology, to promote development and progress for mutual benefit, and at the same time enhance our physical security.

Accordingly, I would like to announce that our main policy guidelines are as follows:

First, to intensify, along a broader field, our relations with the members of the ASEAN;

Second, to pursue more vigorously the establishment of diplomatic relations with socialist states, in particular with the People's Republic of China and with the Soviet Union;

Third, to seek closer identification with the Third World with whom we share similar problems;

Fourth, to continue our beneficial relationship with Japan;

Fifth, to support the Arab countries in their struggle for a just and enduring peace in the Middle East; and

Finally, to find a new basis, compatible with the emerging realities in Asia, for a continuing healthy relationship with the United States.

Towards Indochina, we extend a friendly hand. We are prepared to assist in its enormous task of internal recon-

struction, and in healing the wounds of searing war whose after-effects will be felt by the peoples of those countries for a long time to come. We are prepared to co-exist peacefully with the Indochinese peoples, realizing that in an increasingly interdependent world, we shall have need of each other, just as we both have need of others. We welcome them, further, to cooperate in the difficult task of building a stable and healthy community of nations in South-east Asia, living together in peace and dignity and sharing in its coming prosperity.

Two problems in particular require our urgent attention because of their direct, if opposite, implications for our security. The first is our relationships in the ASEAN or the Association of Southeast Asian Nations and the second is the question of mutual defense arrangements with the United States.

Now, as an organization, the ASEAN is rapidly acquiring viability and status. The principal objectives of the ASEAN are, first, regional economic development through integrated approaches, and second, the development of a regional identity and outlook through greater cultural cohesiveness. In recent years, both objectives have been pursued in dynamic fashion, resulting in benefits to all the member countries.

From the beginning, the ASEAN has sought to insulate itself from politics. It continues to do so as an organization. But it has become evident that the members of the organization cannot long pretend to operate in a political vacuum. Latent disputes among the members carry a potential danger which could affect the valuable work of the ASEAN in the economic and social fields, today correctly viewed by its members as indispensable to individual as well as regional progress. Equally important, the new developments in Asia resulting in a new power configuration threaten the stability and security of the members of the ASEAN.

There are thus two dimensions to the problem of security as it affects the members of the organization. The first is internal to the region, and this is to remove possible sources of friction and, where they exist, to resolve them immediately, wholly and solely through peaceful means. The second is external and this is to blunt the threat of intervention of the great powers.

The two are inter-related; they are aspects of the same problem. For history has shown that the possibility of intervention by foreign powers is greatest where internal political conflicts subsist. In a region of great importance in great-power global strategy, the temptation to intervene

would be particularly irresistible. Vietnam and Korea are merely the most recent cases of intervention, not by one, but by many outside powers.

Southeast Asia is one such vital region. In terms of resources, potential for development and geographical location, it is of high strategic importance in global politics. To the extent that the region is important, to that extent should it take voluntary measures to avert the possibility of becoming another cockpit of great power rivalry.

Aware of this danger, the members of the ASEAN have set themselves the objective of establishing a Zone of Peace, Freedom and Neutrality in Southeast Asia. The road to this objectives of course is long and difficult, but the pressure of events has imparted a new dynamism to our efforts in achieving this goal. In Kuala Lumpur last week, the members of the ASEAN accepted, for approval at the highest level among the heads of states, a Treaty of Amity and Cooperation, embodying a long-standing Philippine proposal for the institution of measures for the peaceful settlement of disputes among ASEAN countries.

The treaty is merely the first of a series of initial steps towards a Zone of Peace, Freedom and Neutrality, but its importance in itself cannot be gainsaid. It is clearly a landmark in Southeast Asian political cooperation, the first formal effort in its millennial history to establish procedures for the regional settlement of conflicts through peaceful means.

If implemented according to intention, it will be an important contribution to efforts to ensure the security of the region. Implicit in the proposed agreement is recognition of the fact that disputes between any two countries pose a threat to the stability of the region as a whole, and thereby also poses the threat of interference by outside powers intent on exploiting the dispute for their own purposes.

The second problem concerning our security is the question of American bases in the Philippines. In the Declaration signed by the members of ASEAN in Kuala Lumpur in 1967, there was agreement that foreign bases in the region are temporary in character. They exist, in other words, for a specific purpose in a specific period of our history. They are not meant to last in perpetuity, or to linger beyond their period of mutual usefulness to the parties involved.

The American bases form the underpinning of the mutual defense arrangements between the Philippines and the United States. Those arrangements are now under the cloud of uncertainty, lacking as they do the built-in

guarantee of immediate common defense against external aggression.

It is difficult, if not impossible, to stake the nation's survival on whimsical interpretations of the mutual defense agreements. These arrangements are apparently dependent not on legal commitment but on the mood of the nation in any given historical period. This we understand. For Vietnam has been a traumatic experience for the American people; it will take a long time before the American people can dispel the sense of shock or heal the bitter divisions engendered by American participation in the Vietnam conflict.

On the other hand, the United States, we hope will understand, must understand, that we in the Philippines face something of far greater magnitude, and this is the problem of sheer physical survival. The United States must understand that we cannot wait until the events overtake us in our country. Just as the United States was compelled to act as it did in pursuit of its national interest, so do we, in the pursuit of our national interest, reserve the right to make our own accommodations with the emerging realities in Asia.

We, therefore, act not from hostility or from spite. We are motivated by one direct and urgent thought and that is the survival of the Filipino people and the survival of the Republic of the Philippines.

We must, therefore, come quickly to an understanding. If the bases are no longer needed by the United States, then they can serve no useful purpose either to the Americans or to us, the Filipinos. On the contrary they are a liability to both parties, a drain on American resources on the one hand, and on the other, a source of international tensions in Asia which can provoke unwanted aggression against the Philippines.

Clearly, neither situation is tolerable. As old allies and the firmest of friends, the United States and the Philippines owe it to each other to reach perfect understanding, in the spirit which has informed our relations in war and in peace for over seven decades, on a point of crucial significance for the future of the Philippines and its security.

It is not my intention to wave a placard saying "Americans, go home." Our peoples are far too deeply attached to permit a situation to reach this point of bitterness, and I am determined that this should not happen. I am determined that we should sit down and like rational human beings explain to each other the requirements of both countries. But I do ask, on behalf of the Filipino people and on behalf of the Republic and with all the sincerity

of trusted friends, whether the bases have not outlived their usefulness, whether they have not lived beyond their appointed time. I do ask whether our mutual defense treaty, in the light of Indochina, has not become a dead letter, serving no function yet productive of suspicions amongst our own people and amongst Asians.

Perhaps it is time to build anew. Americans will always be welcome in the Philippines, as they will be in most of Asia. Larger areas of cooperation need to be explored in mutually beneficial relationship. But a new foundation will have to be created; it is a task which Americans and Filipinos must undertake in common. Let it not be said that the two peoples lack in foresight, imagination and statesmanship, that they could not forge a new understanding.

Inevitably this is a period of international uncertainty. We must learn to cope with it, without losing our poise or our balance.

In a previous speech I have emphasized the point that I shall make periodic reports to our people on matters which concern our most urgent problems.

This is the reason I've brought this up in various speeches in the last month or two. For this is part of my periodic report to the people, the people of the Philippines, who after all will have to decide whether this decision tends to grant them what they fought for—their survival.

I have sketched a picture of the new reality in Asia and I have presented the choices available to us to promote our progress and assure our physical survival.

I urge all of you, who are here, you who are listening and the entire Filipino people, to think of it, as I do think of it even in my most private moments, for it concerns nothing less than the future of our nation and our people. Nothing is of greater urgency in our national life today.

And I am indeed very happy that the Chamber of Commerce that is known for great business and profit involves itself in the survival and the urgent requirement of nationhood.

MGA HATOL NG KATAAS-TAASANG HUKUMAN
(DECISIONS OF THE SUPREME COURT)

[No. L-34300. November 22, 1974]

FIRST DIVISION

LUZON STEVEDORING CORPORATION and B. H. TENEFRENCIA,
petitioners *vs.* COURT OF INDUSTRIAL RELATIONS and
GERARDO MIÑOZA, appellants.

Armando L. Dominguez for the petitioners.

Manuel P. Calanog and *Jerry P. Rebutoc* for the private
respondent Gerardo Miñoza.

REVIEW of a decision of the Court of Industrial Relations.

SYNOPSIS

The Court of Industrial Relations directed petitioners to immediately reinstate private respondent as stevedoring supervisor with no loss of seniority and other privileges and with full back wages from the date of his dismissal on June 1, 1962 up to April 7, 1968. Petitioners seek a review of this decision.

Petition dismissed. Judgment affirmed with modifications as the award of back wages and overtime pay.

SYLLABUS

of the Ruling of the Court

1. COURT OF INDUSTRIAL RELATIONS; FINDINGS OF FACT CONCLUSIVE UPON THE SUPREME COURT.—The findings of fact of the Court of Industrial Relations are conclusive upon this Court in the absence of grave abuse of discretion.
2. ID.; JURISDICTION THEREOF DETERMINED BY THE ALLEGATIONS OF THE COMPLAINT.—As long as the complaint for reinstatement also alleges a violation of the Eight-Hour Labor Law, the Court of Industrial Relations has jurisdiction over the case. The allegations of the complaint determine the jurisdiction of the Court; and the dismissal of the claim for overtime does not divest the court of its jurisdiction.
3. EMPLOYER-EMPLOYEE; DISMISSAL; SEPARATION FROM SERVICE IN THE GUISE OF REORGANIZATION.—The separation from service of a regular and permanent employee in the guise of reorganization of the office is not a valid cause for dismissal.
4. ID.; TERMINATION PAY LAW; SCOPE.—The Termination Pay Law applies only to employment without a definite term; and where an employee has served his employer for over a generation, his employment cannot be deemed to be one without a definite term as to permit his arbitrary ouster under the law.
5. ID.; OVERTIME PAY; DETERMINATION THEREOF IN INSTANT CASE CORRECT.—The respondent Court correctly limited the claim for overtime pay to three years counted backward from July 1, 1962 by reason of the three-year prescriptive period provided for in Sec. 7-A of C.A. No. 444, as amended by R.A.

1993, otherwise known as the Eight-Hour Labor Law; because until this date the employee had not been paid his overtime pay and backwages.

6. ID.; BACKWAGES; ADOPTED POLICY FOR THE EXPEDITIOUS EXECUTION OF JUDGMENTS.—It is the policy to decree back wages not exceeding three years without requiring the parties to submit proof of compensation received from other sources from the time of the illegal dismissal until actual reinstatement, in order that judgment in favor of an employee or laborer can be executed without delay.

OPINION OF THE COURT

MAKASIAR, J.:

Petitioners Luzon Stevedoring Corporation and its manager Benjamin H. Tenefrancia seek a review of the decision of respondent Court of Industrial Relations dated December 2, 1970, directing them to immediately reinstate private respondent Gerardo Miñoza as stevedoring supervisor with no loss of seniority and other privileges and with full back wages from the date of his dismissal on June 1, 1962 up to April 17, 1968.

As found from the evidence of record by respondent Court of Industrial Relations, private respondent Gerardo P. Miñoza was employed by petitioner firm in 1931 first as a mere checker, was after six months promoted to head checker until the outbreak of the second World War, and was again promoted as general foreman after liberation until 1952 when he was last promoted to stevedoring supervisor, with place of work at Davao City, under John Hay as branch manager and herein petitioner Benjamin H. Tenefrancia, office manager and chief accountant of said branch. The herein petitioner corporation loads and unloads cargoes on and from vessels docking at the port of Davao City. Respondent Miñoza, as such stevedoring supervisor, supervised the stevedores of petitioner firm in discharging or unloading cargoes as well as the storing of the same in the hatches of vessels and was in complete charge of the Stevedoring Department of the corporation when he could not leave or entrust the loading and unloading of the cargoes to his seven foremen or *capataces*. When there were no vessels in port, he was always around in the office waiting for orders from the branch manager who sometimes ordered him to “gear” in the gear house the equipment for loading and unloading before actual work was commenced. While he was supervisor and in charge of the Stevedoring Department, he was receiving a salary of ₱500.00 a month from 1952 until June 1, 1962. On May 24, 1962, he received a letter from office manager Benjamin H. Tenefrancia in behalf of the corporation, informing him that “in the course of our reorganization, the management has found it necessary to dispense with

your services effective June 1, 1962. However, as a *permanent employee* since January 1, 1952, you are entitled to separation pay pending advice from your head office." (Annex or Exhibit A, p. 30, rec.).

In his behalf, his counsel, Atty. Sisenando Villaluz, wrote the firm a letter dated June 5, 1962, stating that the termination of his services was without just cause and that under existing jurisprudence, he is entitled to reinstatement with back wages, expressing, however, the hope that an "amicable settlement can be effected with a view to the re-establishment of the employer-employee relations which was wrongfully severed by his dismissal," and requesting a reply within five days from receipt thereof (Annex or Exhibit B, p. 31, rec.).

Atty. Ibarreta, in behalf of the corporation replied to said letter of Miñoza's counsel (Exh. C). Miñoza rejected the amount of ₱5,208.00 corresponding to his separation pay as offered in said letter of Atty. Ibarreta.

Before May 14, 1962, respondent Miñoza was never charged with nor investigated for any irregularity. After June 1, 1962, he was replaced as stevedoring supervisor by Rodolfo Liboon whose salary was fixed at ₱720.00 a month with allowances. Rodolfo Liboon came from the Stevedoring Department of the corporation branch at Bacolod City earlier in May, 1962, "to acquaint himself with his new job * * * to replace Mr. Miñoza," who continued as stevedoring supervisor until the end of May, 1962.

In May, 1962, John Hay was replaced as general manager of the Davao City branch by David Leyson, who came from the corporation's branch at Bacolod City. After Leyson took over the managership of the Davao City branch, there was a reorganization in the Davao City branch starting with John Hay.

When petitioner firm refused to reinstate him with back wages, respondent Miñoza filed on July 2, 1962 a verified complaint which was amended on August 15, 1962, praying for reinstatement without loss of seniority and other privileges, with back wages and for overtime pay, with interest at the legal rate from the filing of the original complaint (Annex A, pp. 26-29, rec.).

In their answer to the said complaint dated March 4, 1966, herein petitioners interposed the following defenses:

1. That the Court of Industrial Relations has no jurisdiction over the subject matter of the case;
2. That the separation of Miñoza was for a just and valid cause; and, even if not for a valid cause, his remedy is to proceed against the employer pursuant to the provisions of Republic Act 1052, as amended (Termination Pay Law), for reinstatement is not available in the

absence of an unfair labor practice charge against the employer;

3. That Miñoza did not render work either as a stevedoring supervisor or in any other capacity because a stevedoring supervisor belongs to and is a member of the executive staff which is not required to strictly observe office hours as he was vested with discretion in the management of the Stevedoring Department, aside from the fact that he did not actually render overtime work in any other capacity;

4. That the employer did not violate the Eight-Hour Labor Law; and

5. That the money claims of Miñoza had already prescribed (Annex D, pp. 32-34, rec.).

I

We have ruled in a number of cases that the findings of fact of the Court of Industrial Relations are conclusive on this Court in the absence of grave abuse of discretion.

As correctly determined by the respondent Court, respondent Miñoza was a regular and permanent Stevedoring Supervisor of petitioner corporation since January 1, 1962 (Exhibit A, p. 30, rec.) and that his separation from the service effective June 1, 1962 in the guise of the reorganization of the office, was not a valid cause for dismissal. We ruled in several cases that as long as the complaint for reinstatement also alleges a violation of the Eight-Hour Labor Law, as in the case at bar, the Court of Industrial Relations has jurisdiction over the case. The allegations of the complaint determine the jurisdiction of the Court. (*Filipro, Inc. versus CIR*, L-30827, August 18, 1972, 46 SCRA 621, 627; *Colgate-Palmolive, etc. versus De la Cruz, et al.*, L-23015, May 30, 1972, 45 SCRA 190, 195-196, 201-203; Section 7, Rep. Act 875; *Philippine Engineers' Syndicate, Inc. versus Hon. Jose Bautista, et al.*, L-16440, Feb. 29, 1964, 10 SCRA 379, 381-382; *NARIC versus Naric Workers' Union*, 105 Phil., 891; *Shell Company versus National Labor Union*, 81 Phil., 315; *Monaris versus CNS Enterprises, et al.*, 105 Phil., 1333; *NASSCO versus Armin, et al.*, 104 Phil., 835; *Isaac Peral Bowling Alley versus United Employees, etc., et al.*, 102 Phil. 219; and *Detective, etc. versus Guevara, et al.*, 101 Phil. 1234).

The Termination Pay Law (Republic Act 1052, as amended) applies only to employment without a definite term. Considering the environmental facts in the case at bar, where Miñoza has faithfully served his employer (petitioners) for over a generation since 1931 to the time he was unjustly dismissed in 1962; his employment certainly could not be deemed to be one without a definite term as to permit his arbitrary ouster under said law.

The dismissal of the claim for overtime pay does not divest the Court of Industrial Relations of its jurisdiction (Filipro, Inc. *versus* CIR, *supra*; and Associated Labor Union *versus* Borromeo, 26 SCRA 88, 100-101).

II

The respondent Court of Industrial Relations likewise properly found that respondent Miñoza performed overtime work and therefore is entitled to overtime pay. Thus, in its decision, respondent Court stated that:

"As to whether complainant Miñoza rendered overtime work in excess of eight hours a day and on Sundays and holidays, the evidence shows that, as stevedoring supervisor of respondent corporation, he supervised the stevedores first in the discharge or unloading of cargoes as soon as the vessels serviced by said corporation arrived at Davao Port and then the loading and storing of cargoes in the hatches; that while in that process, he could not leave the place of work nor could he entrust to his seven foremen or capatazes the work of stevedoring as it was his responsibility; that the stevedoring work in the port of Davao had no schedule of work hours but they would start their work as soon as the vessel arrived to be unloaded until the work of loading was terminated or the vessel departed from port; as stevedoring supervisor, complainant Miñoza assigned the foremen or capatazes to take charge of those who unloaded and loaded cargoes and gave instructions to them; during that time and while they were working, complainant Miñoza was always around the place of work; that he has a record of the time of arrival and of departure of all vessels, foreign and domestic, serviced by respondent Luzon Stevedoring Corporation as shown in the excerpts of the cargo manifest on official stationery of said respondent corporation, Davao Branch, from the Philippine Steam Navigation Company for the period from January, 1960 to December, 1961 (Exhibits "A", "E", "E-1", "F", "G", "H", "H-1", inclusive); in the head checker daily reports of respondent Luzon Stevedoring Corporation for 1960 (Exhibits "I", "I-1", to "I-4", "J", "J-1" to "J-9", "K", "K-1", "L", "L-1" to "L-3", "M", "M-1" to "M-3", "N", "N-1" to "N-2", "O", "O-1", "P", "P-1", "Q", "Q-1" to "Q-2", "R", "R-1" to "R-3", "S", "S-1" to "S-2", "T", "T-1" to "T-2", "U", "U-1" to "U-4", "V", "V-1", "W", "W-1" to "W-7", "X", "X-1" to "X-5", "Y", "Y-1" to "Y-3", "Z", "Z-1" to "Z-2", "AA", "BB", "BB-1", "CC", "CC-1" to "CC-4", "DD", "DD-1" to "DD-4", "EE", "FF", "FF-1" to "FF-4", "GG", "GG-1" to "GG-5", "HH", "HH-1" to "HH-2", "II", "II-1" to "II-4", "JJ", "JJ-1", "KK", "KK-1", "LL", "LL-1" to "LL-2", "MM", "MM-1" to "MM-5", "NN", "NN-1" to "NN-2", "OO", "OO-1" to "OO-5", "PP", "PP-1" to "PP-2", "QQ", "QQ-1" to "QQ-3", "RR", "RR-1" to "RR-3", "SS", "SS-1" to "SS-3", "TT", "TT-1" to "TT-3", "UU", "UU-1" to "UU-4", "VV", "VV-1", "WW", "WW-1", "XX", "XX-1" to "XX-2", "YY", "YY-1" to "YY-2", "ZZ", to "ZZ-4", "AAA", "AAA-1" to "AAA-6", "BBB", "BBB-1" to "BBB-2", "CCC", "CCC-1" to "CCC-3", "DDD", "DDD-1", "EEE", "EEE-1" to "EEE-2", "FFF", "GGG", "GGG-1" to "GGG-2", "HHH", "HHH-1" to "HHH-2", "III", "III-1" to "III-2", "JJJ", "JJJ-1" to "JJJ-2", "KKK", "LLL", "LLL-1" to "LLL-4", "MMM", "NNN", "NNN-1" to "NNN-4", "OOO", "OOO-1" to "OOO-5", "PPP", "QQQ", "QQQ-1", "RRR", "SSS", "SSS-1" to "SSS-2", "TTT",

"TTT-1" to "TTT-2", "UUU", "UUU-1", "VVV", "VVV-1", to "VVV-4", "WWW", "WWW-1", to "WWW-2", "XXX", "YYY", "ZZZ-1" to "ZZZ-2", "AAAA", "AAAA-1" to "AAAA-3", "BBBB", "CCCC", "CCCC-1", "DDDD", "DDDD-1", "EEEE", "EEEE-1", "FFFF", "FFF-1" to "FFF-4", "GGGG", "GGGG-1", "HHHH", "HHHH-1" to "HHHH-2", "III", "III-1" to "III-3", "JJJJ", "JJJJ-1" to "JJJJ-2", "KKKK", "KKKK-1", "LLLL", "MMMM", "MMMM-1", "NNNN", "NNNN-1" to "NNNN-3", "OOOO", "OOOO-1" to "OOOO-2", "PPPP", "QQQQ", "QQQQ-1" to "QQQQ-5", "RRRR", "RRRR-1", "SSSS", "SSSS-1", "TTTT", "TTTT-1", "UUUU", "UUUU-1", inclusive); in the discharging reports and the supplementary discharging reports of the Philippine Steam Navigation Company from January, 1959 to December, 1962 (Exhibits "VVVV", "VVVV-1" to "VVVV-132", "WWWW", "WWWW-1" to "WWWW-139", "XXXX", "XXXX-1" to "XXXX-213", "YYYY", "YYYY-1" to "YYYY-51", "ZZZZ", "ZZZZ-1" to "ZZZZ-51", "AAAAA", "AAAAA-1" to "AAAAA-53", "BBBBB", "BBBBB-1" to "BBBBB-51", "CCCCC", "CCCCC-1" to "CCCCC-92", "DDDDD", "DDDDD-1" to "DDDDD-191", inclusive); in the foreman's duly reports of respondents Luzon Stevedoring Corporation for May 22, 1962 (Exhibits "EEEE", "EEEE-1" to "EEEE-13", inclusive); and in the stevedoring reports of respondent Luzon Stevedoring Corporation from January to April, 1962 (Exhibits "FFFF", "FFFF-1" to "FFFF-20", inclusive).

"It likewise appears that in the computation of pay of the workers in the stevedoring department of respondent corporation, the procedure followed was that the workers were classified as Modernos and Antigo 3, Antigo 2, Antigo 1 which were the checkers, head checkers and foreman or capatazes; for the work done at night, the first eight hours were computed double, that is if a worker is receiving P4.00 a day for eight hours work, he would receive P8.00 for night work for the first eight hours, and in excess of eight hours, he received an hourly rate plus fifty per centum; and that day workers received double pay for work during Sundays and holidays.

"From the foregoing factual evidence, it is clear that complainant Gerardo Miñoza rendered and/or performed work or services in excess of the regular eight hours a day, at night and during Sundays and holidays. Hence, he should be paid of the overtime compensation due him based on the above computation of pay of the workers in the stevedoring department." (pp. 49-52, rec.).

The contention of petitioners that respondent Miñoza did not render overtime service nor on Sundays and holidays on the ground that as Stevedoring Supervisor, he is a member of the executive staff and hence he does not follow a rigid schedule of office hours nor is he required to follow a schedule of work; that the corporation has two departments, namely, Stevedoring and Marine; that Miñoza was the head of the Stevedoring Department and had 7 foremen and more than 300 stevedores under him who work only when there is available work to be done, has been satisfactorily disposed of by the respondent Court, thus:

"Based on the above evidence, we find respondents' pretense without merit. The claim that there are two departments in

respondent corporation stevedoring headed by complainant and marine which is in-charge of all tugboats and barges—and that with branch manager John Hay, office manager Benjamin H. Tenefrancia, complainant Miñoza, as head of the stevedoring department, was a member of management belie that complainant was a member of the executive staff, considering that as head of the stevedoring department, complainant's primary duty was merely to supervise the stevedoring work and not the management of said department. Besides, if it is true that there were two departments—stevedoring and marine—in respondent corporation, then office manager Tenefrancia should have included the head of the marine department which is incharge of all tugboats and barges a member of the management or executive staff together with the head of the stevedoring department. This he did not. And he should not have singled out the head of the stevedoring department as a member of said staff to the exclusion of the head of the marine department. Moreover, as office manager, respondent Tenefrancia occupied in respondent corporation a position higher in rank and/or category than the head of the stevedoring and the marine departments. This is verily shown in the letter signed by said respondent B. H. Tenefrancia to complainant Miñoza dated May 14, 1962 terminating the services of the latter with respondent corporation effective June 1st, 1962 (See Exhibits "A" and "I") when he signed it as the representative of respondent corporation and not by branch manager Leyson. On the further claim that as head of the stevedoring department, complainant Miñoza had the power to hire and fire people under his department, suffice it to state that his said power was subject to the prior approval of the branch manager. This shows that as a stevedoring supervisor his power to hire and fire his subordinate employees who were not regular and permanent because they only worked when there was available work was merely routinary in the exercise of his duty to supervise the stevedoring work and does not involve the exercise of his independent judgment necessary to make him a managerial employee or a member of the executive staff. And, that complainant Miñoza had no schedule of work, filled no time card nor punched the bundy clock to indicate his time in and time out and his salary was paid to him directly by the branch manager and not by the paymaster who paid the daily wage workers did not, to our mind, make him a member of the management and/or of the executive staff of respondent corporation." (pp. 48-49, rec.).

However, the respondent Court limited the claim for overtime pay to three years counted backward from July 1, 1962 by reason of the three-year prescriptive period provided for in Section 7-A of Commonwealth Act No. 444, as amended by Republic Act 1993, otherwise known as the Eight-Hour Labor Law. This is a true and correct determination of the respondent Court; because until this date, respondent Miñoza has not been paid his overtime pay as well as his back wages.

In view of the policy to decree back wages not exceeding three years without requiring the parties to submit proof of compensation received from other sources from the time of the illegal dismissal until actual reinstatement, in order that judgment in favor of an employee or laborer can be executed without delay, the judgment appealed from

should be accordingly modified. The overtime compensation due to respondent Miñoza should be determined according to the directive in the appealed decision (p. 52, rec.).

Wherefore, the petition is hereby dismissed and the petitioners are hereby directed (1) to immediately reinstate respondent Gerardo Miñoza to his former position as stevedoring supervisor without loss of seniority and other privileges and with full back wages from date of his dismissal on June 1, 1962, corresponding to a period of three years; and (2) to pay him overtime pay corresponding to three years counted backward from July 1, 1962 as directed in the appealed decision.

Castro, J., Chairman, Teehankee, Esguerra and Muñoz Palma, JJ., concur.

Petition dismissed. Judgment affirmed with modifications as the award of back wages and overtime pay.

[No. L-26738. November 29, 1974]

SECOND DIVISION

CEBU PORTLAND CEMENT COMPANY, Plaintiff-appellee, *vs.*
TERESO DUMON, Defendant-Appellant

Acting Government Corporate Counsel Romualdo Valera
for the plaintiff and appellee.

Tereso Dumon on his own behalf.

PETITION FOR REVIEW of a decision of the Court of
First Instance of Manila, Lantin, *J.*

SYNOPSIS

An option to purchase was entered into by the parties with the following conditions: that plaintiff would explore and purchase the gypsum claims of the defendant if the property yields good results, offering for this agreement 100,000 bags of cement; that in case after the exploration, no purchase is made, defendant shall refund the amount of equivalent to the cost of the cement, but if the purchase goes through, the cost of the bags of cement shall be considered part of the consideration. No exploration work nor purchase of the gypsum claims was made by the plaintiff and in the lower court, it sought to recover the value of the 99,900 bags of cement given to defendant. Judgment was rendered ordering defendant to pay the value of the cement received and plaintiff to pay the defendant damages for the prejudice and unrealized profit suffered by the latter. A motion for reconsideration and/or New Trial was filed. Reconsideration was denied but an affidavit, offered by the defendant, containing new and additional evidence was admitted in lieu of holding a new trial. Hence, the present appeal.

The Court held that there is no basis for the demand for the return by the plaintiff of the cement or its price, for the same had been paid in accordance with the contract between the parties, in consideration of the option to purchase defendant's gypsum claims and under the contract, the return is to be made only after exploration has been completed. It likewise ruled that it is no longer necessary for defendant to be paid damages since by this decision he will get full consideration for the option.

Judgment modified. Complaint of plaintiff dismissed; portion sentencing appellant to pay reversed and award of damages to him eliminated.

SYLLABUS
of the Ruling of the Court

1. CONTRACTS; OPTION TO PURCHASE; DELIVERY OF CEMENT, THE CONSIDERATION THEREFOR; CASE AT BAR.—The words of the

contract are clear. It is therein provided unequivocally that "CEPOC shall deliver the cement, and in consideration thereof, it is given the option to purchase the mineral claims of appellant. The appellant agreed to return said cement in the event that after undertaking the stipulated exploration work in appellant's mine CEPOC should decide not to proceed with the purchase contemplated in the option does not alter the character of the delivery of the cement to appellant as the consideration for no more than said option.

2. *Id.*; *Id.*; *Id.*; AGREEMENT IN INSTANT CASE REGULAR AND FAIR—The trial judge dubbed the contract as tainted with a "gross irregularity" because of the considerable value of the option (100,000 bags of cement which is worth more than one-half of the offered price of the mining claims). This solicitous concern about the propriety of the terms agreed upon by the parties is plainly officious and uncalled for. There is neither allegation nor evidence made or presented by appellee indicating that it had been deceived or otherwise taken advantage of by appellant. His Honor's dictum that "justice and equity also demand that the amount of P274,725.00, value of the 99,900 bags of cement delivered by the plaintiff to the defendant, be returned to the plaintiff" relates to no issue joined by the parties. In the premises, it is the ruling of the trial court, rather than the contract in question, that "is not merely irregular, but extrajudicial and invalid, for 'it adjudicates matters beyond the issues and upon which the parties were not heard'." It is a well-known principle in procedure that courts have no jurisdiction or power to decide a question not in issue.
3. *Id.*; *Id.*; *Id.*; DEMAND FOR RETURN OF CEMENT OR ITS PRICE WITHOUT BASIS.—CEPOC did not bother to fulfill its end of the bargain by entirely omitting to do any exploration work at all, not to speak of its failure to proceed with the stipulated purchase of appellant's gypsum. We cannot find any basis for acceding to its demand for the return of the cement or its price, the same having been paid, in accordance with the contract between the parties, in consideration of a totally different presentation, the option given to it by appellant to purchase his gypsum, and the prerequisite condition for such return, namely, the exploration of appellant's mining claims not having been done by appellee.
4. *Id.*; *Id.*; *Id.*; APPELLEE NOT BOUND TO PAY DAMAGES IN INSTANT CASE.—The trial court sentenced CEPOC to pay for the damage and prejudice and unrealized profit it found appellant to have suffered because of its failure to make the required exploration and proceed with the purchase. The Court is of the opinion that inasmuch as the appellant, by this decision, will get the consideration for the option, it is no longer necessary for him to be paid the damages adjudged by the trial court.

OPINION OF THE COURT

BARREDO, *J.*:

Direct appeal taken to this Court by the defendant from the decision, dated November 6, 1965, rendered by the Court of First Instance of Manila against him in its

Civil Case No. 50484 (Cebu Portland Cement Company, plaintiff, *versus* Tereso Dumon, defendant), and from the subsequent order, dated August 9, 1966, denying his motion for reconsideration.

The background facts may be gleaned from the pertinent portions of the decision appealed from, as follows:

"This is an action for a sum of money filed by the Cebu Portland Cement Company (CEPOC), plaintiff, against Tereso Dumon, defendant, praying:

'Wherefore, it is respectfully prayed that judgment be rendered ordering the defendant:

'1. To pay plaintiff the sum of P274,725.00 with legal interest thereon from March 8, 1962 when the first demand of payment was made until said amount is fully paid;

'2. To pay the plaintiff the sum of equivalent to 25% of the amount due and demandable as liquidated damages and P5,000.00 as attorney's fees and necessary expenses of litigation;

'3. To pay the cost of this suit; and

'4. Such other relief as this Honorable Court may deem just and equitable in the premises.'

"The case was submitted for decision on the following Stipulation of Facts:

'Come now the parties, by their undersigned counsel, and unto this Honorable Court respectfully submit this Stipulation of Facts:

'1. They stipulate that the plaintiff is a government-owned and controlled corporation engaged in the manufacture of cement, while the defendant is a businessman of good standing in the country as well as member of the House of Representatives, Congress of the Philippines, since 1962.

'2. They stipulate that the plaintiff has the power to purchase and acquire gypsum claims for the mining of gypsum necessary for the manufacture of cement and, for the purpose, to conduct exploration and mining operations on said claims.

'3. They stipulate that the defendant owns the claims over certain gypsum deposits in the Bicol region, and on November 23, 1960, he offered to plaintiff the sale of said claims because of his knowledge of plaintiff's "facilities, equipment, technical know-how and finances" to undertake exploration and mining operations; copy of the letter containing his offer being hereto attached as Annex "A" and made an integral part hereof; that to said offer plaintiff made a reply attached hereto as Annex "A-1" on November 28, 1960 inquiring about the extent of the gypsum deposits in defendant's claims and in answer to said inquiry defendant made his written report dated December 5, 1960 attached hereto as Annex "A-2"; that thereafter the plaintiff proposed to conduct exploration work on the defendant's gypsum claims with defendant sharing one half of the exploration expenses, the said proposal being contained in the letter of the plaintiff, Annex "A-3"; but the defendant rejected the same by his letter dated September 18, 1961 attached hereto as Annex "A-4"; that on October 18, 1961, defendant accepted the plaintiff's proposal to purchase the gypsum deposits after its exploration work yields good results, provided the plaintiff gave him 150,000 bags of

cement as consideration for the option in addition to the exploration work, as shown by his letter attached hereto as Annex "A-5"; that plaintiff then agreed to conduct exploration work on the claims and to pay the defendant 100,000 bags of cement as consideration for the option to purchase the said claims, as shown in plaintiff's letter dated October 19, 1961 attached hereto as Annex "A-6"; that to said counter-offer, defendant agreed in his letter dated October 20, 1961 attached hereto as Annex "A-7"; that thereafter the agreement was approved by the plaintiff's auditor, its Board of Directors, the Office of the Economic Coordination, the Government Corporate Counsel and, finally, by the General Auditing Office, as shown by the written indorsements attached hereto as Annexes "A-8" to "A-11" inclusive; and that on November 8, 1961, the plaintiff prepared the document embodying the agreement of "option to purchase", attached to this stipulation as Annex "B".

'4. That the only consideration received by defendant from plaintiff for the option granted by him is the 99,900 bags of cement sued for in the complaint in this case.

'5. That while the parties agreed that the plaintiff could elect not to purchase the defendant's gypsum claims, it was likewise agreed that such desistance could be exercised by plaintiff only after it had conducted the stipulated exploration work on said claims which was part of the consideration for the option.

'6. That on November 8, 1961, the defendant assigned to the plaintiff all his rights, titles and interests in the gypsum claims in order that plaintiff could conduct the stipulated exploration work and with the plaintiff's assurance that it would really purchase the claims, and the plaintiff bound itself to perform all the terms and conditions of the mining lease of the defendant over said claims, including the obligation to conduct the necessary exploration and mining operation on the same, as shown by the deed of assignment, Exhibit "B-1".

'7. That the plaintiff did not conduct any exploration work on the gypsum claims and has not up to the present conducted such exploration.

'8. That on March 8, 1962, the plaintiff's new board of directors under the chairmanship of one, Mr. Fulvio Pelaez, decided not to purchase the gypsum claims, before and without undertaking the stipulated exploration work on the same; thereafter plaintiff demanded from defendant the payment of 100,000 bags of cement at P2.75 per bag or a total amount of P275,000.00, as shown by its letter attached hereto as Exhibit "C" to which demand defendant objected as shown by his letter, attached hereto as Exhibit "C-1".

'9. That the parties reserve the right to file their respective memoranda in support of their respective sides within thirty (30) days from date hereof, after which the case will be deemed submitted for decision.

'Respectfully submitted.

'Manila, December 23, 1964'." ¹

¹ Aside from the contract itself of "Option to Purchase", to be quoted later, among the annexes referred to in the stipulation, the most relevant are annexes A-3 to A-7, which will also be quoted elsewhere in this opinion.

Without benefit of memorandum from either party, none of them having filed any, contrary to what is adverted to in their above-quoted agreement, the court below rendered judgment with the following rationale and dispositive portions:

"The only question at issue in this case is whether or not the plaintiff is entitled to recover the value of 99,900 bags of cement at the rate of P2.75 per bag or the total amount of P274,725.00 from the defendant. Resolution of this question will depend upon the terms and conditions of the option to purchase (Annex B to the stipulation), paragraph 2 of which provides:

'That in case the CEPOC, after the exploration, decides not to continue the negotiation to purchase the property, the SELLER shall refund the amount of equivalent to the cost of the 100,000 bags of cement computed at the current price. In case the CEPOC decides to continue the purchase, the 100,000 bags of cement shall be considered as part of the consideration;'

"It is clearly stated in the stipulation that no exploration has been made by the plaintiff up to the present (par. 7). The explanations given by the board of directors of CEPOC at its meetings on March 8, 1962, were the following: '1. That the present precarious cash position of the Company renders it incapable of undertaking any new project; and 2. That the impending sale of our Naga Cement Plant may eventually result in the dissolution of this Company.' (Annex C, stipulation).

"The court is surprised that 99,900 bags of cement valued at P274,725.00 were given by the plaintiff to defendant in consideration of the option, which under ordinary conditions should be only a nominal amount but which in this case is more than one-half of the offered price of P500,000.00 (Annex A to the stipulation), indicating gross irregularity in the contract.

"Considering that pursuant to the option to purchase (Annex B to the stipulation) a deed of assignment of the mining leasehold rights on parcels of mineral land with written mining lease contracts was made by the defendant in favor of the plaintiff as required in said option to purchase, and taking into consideration that the plaintiff has decided not to continue the negotiations for the purchase of the gypsum claims of the defendant in a communication addressed to the defendant due to the reasons stated therein (Annex C to the stipulation), it is but proper that the deed of assignment be cancelled if it has not yet been done. Justice and equity also demand that the amount of P274,725.00, value of the 99,900 bags of cement delivered by the plaintiff to the defendant, be returned to the plaintiff. However, taking into account that the defendant has suffered damage and prejudice and unrealized profit because plaintiff did not make the required exploration and proceed with the purchase, the court feels that said defendant is entitled to a reduction of 5% or P13,736.25 from the amount of P274,725.00.

"Wherefore, judgment is hereby rendered in favor of the plaintiff and against the defendant, ordering the defendant to pay the plaintiff the sum of P260,988.75 (P274,725.00 minus P13,736.25) with legal interest from the date this judgment becomes final until fully paid.

"The plaintiff is ordered to cancel the deed of assignment and release the leasehold rights of the defendant on parcels of mineral land belonging to the defendant.

"Without attorney's fees and without special pronouncement as to costs."

On December 17, 1965, the defendant filed a Motion for Reconsideration and/or New Trial, assailing the above-quoted judgment as contrary to law, the evidence and the contractual stipulations of the parties. This was followed by a Supplemental Motion for Reconsideration and/or New Trial, dated March 10, 1966, reiterating his aforementioned previous motion, with the additional prayer—for the reasons therein stated—that new trial be granted for the purpose of adducing the testimony (the substance of which is set forth in a sworn statement attached to the supplemental motion) of one Nestor G. Legaspi, a former member of the Board of Directors of CEPOC and former Chairman of the said company's Committee on New Ventures, as new and additional evidence for the defendant. In a Manifestation filed on April 27, 1966, counsel for the plaintiff declared that as defendant prays for new trial for the purpose of adducing the testimony of Nestor G. Legaspi, as per his attached sworn affidavit, as new and additional evidence, "plaintiff interposes no objection to the admission thereof for whatever it may be worth" and "submits that even if the sworn statement of Nestor G. Legaspi were so considered as new and material evidence for the defendant, the same would not alter or materially change the decision already rendered", in answer to which manifestation the defendant, having been required by the trial court to do so, also filed a written Manifestation stating "that if the sworn affidavit of Nestor G. Legaspi, attached to the motion for reconsideration and/or new trial, is admitted by the Honorable Court, without objection of the plaintiff, in lieu of his (Legaspi's) testimony in open court, then defendant will not anymore ask for a new trial in order that Mr. Legaspi may testify and defendant therefore submits the said affidavit in support of the motion for reconsideration"; and upon the foregoing manifestations of the parties, the court below entered an order, dated June 29, 1966, admitting the sworn statement of Nestor G. Legaspi referred to "as new and additional evidence" for the defendant. With the prayer of defendant for new trial thus resolved, the trial court thereafter denied the pending motion for reconsideration of the decision in an order it issued on August 9, 1966. Hence, the present appeal by the defendant (now appellant) with the following assignment of errors:

"I. The lower court erred in ordering defendant to return to plaintiff the cost of the cement paid—the obligation to refund being conditional and the non-performance or non-fulfillment of said condition being found—and thus it erred in failing to apply the provision of Article 1370 of the Civil Code that 'If the terms of a

contract are clear and leave no doubt upon the intention of the contracting parties, the literal meaning of its stipulations shall control', and of Article 1181 that 'In conditional obligations, the acquisition of rights, as well as the extinguishment or loss of those already acquired, shall depend upon the happening of the event which constitutes the condition.'

"II. The lower court erred in ordering defendant to refund the cost of the cement paid without the plaintiff undertaking exploration work—for then the contract of option to purchase would have no consideration and/or cause of the contract—and therefore in contravention of the provisions, among others, of Article 1350, Article 1352 in relation to Article 1373, Article 1354, Articles 1355 and 1470, all of the Civil Code.

"III. The lower court erred in rendering judgment in favor of plaintiff ordering defendant to pay in cash the value of the cement paid—when an alternative obligation was given to defendant and the terms of their contract and/or the law is again clear and free of doubt—and so erred in failing to apply Article 1370 first paragraph (*supra*) and Article 1200 of the Civil Code which provides that 'The right of choice belongs to the debtor' in alternative obligations.

"IV. The lower court erred in not finding that the grounds invoked by plaintiff in breaching its obligation to conduct exploration work are not valid and lawful.

"V. The lower court erred in applying its concepts of 'justice and equity' when there are laws applicable and specially when the law is not in consonance with the judge's conception of justice and equity.

"VI. The lower court erred in rendering judgment that did not conform to both the pleadings and the proof and was not in accord with the theory of the action upon which the pleadings were framed and the case was tried.

"VII. The lower court erred in rescinding a contract for adequacy rather than inadequacy of consideration and in misunderstanding the 'considerations' involved in option to mining concessions.

"VIII. The lower court erred in holding defendant liable for interest and attorneys fees and also erred in ignoring or denying his counterclaims against plaintiff for the balance of the cement consideration for the option and for attorney's fees."(*)

The contract of "Option to Purchase" in question reads as follows:

"WHEREAS, the CEPOC is engaged in the manufacture and trade of APO Portland Cement;

"WHEREAS, the SELLER has proposed to sell his gypsum claims located in Sitios Imacote, Cagmanaba and Sitios Tapil and Dawagan, Nagas, Oas, Albay, and the CEPOC has agreed to consider the same subject to the terms and conditions herein below provided:

"NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, promises and forbearances to be kept and performed, the parties have agreed as follows:

"1. That the CEPOC shall deliver to the SELLER ONE HUNDRED THOUSAND (100,000) bags of APO cement, subject to availability of stock, at Tinaan, Naga, Cebu at P2.75 per bag and in

(*) This case is deemed submitted for decision without appellee's brief, CEPOC having failed to file a brief within the period granted it for the purpose.

consideration thereof, the CEPOC is given the option for a period of six (6) months extendible for another period of six (6) months at the option of CEPOC, to purchase the mineral claims (gypsum) of the SELLER located at Sitios Imacote, Cagmanaba and Sitios Tapil and Dagawan, Oas, Albay;

"2. That in case the CEPOC, after the exploration, decides not to continue the negotiation to purchase the property, the SELLER shall refund the amount equivalent to the cost of the 100,000 bags of cement computed at the current price. In case the CEPOC decides to continue the purchase the 100,000 bags of cement shall be considered as part of the condition;

"3. That in the event the CEPOC decides not to purchase SELLER'S gypsum claims and SELLER decides to undertake the mining operations, the SELLER shall supply the CEPOC on the first priority basis, gypsum equivalent to the amount of the cement, the prices of both to be computed at the current prices at the time of the signing of this contract;

"4. That to guarantee the faithful performance of the terms and conditions specified under this agreement and/or to guarantee the payment of the 100,000 bags of cement, the SELLER shall cause to be conveyed and/or transferred by way of first mortgage, or other forms of conveyance and/or transfer, in favor of the CEPOC all his mineral claims at Sitios Imacote, Cagmanaba and Sitios Tapil and Dawagan, Naga, Oas, Albay;

"5. That the SELLER shall surrender to the CEPOC the following documents:

- a) Forty-four (44) Declaration of locations
- b) Five (5) Mining Lease Contracts in 2 sheets
- c) Eight (8) Application for Lease of Mining Claims
- d) Investigation Report of Bureau of Mines by Supervising Geologist Amable Cruz
- e) One (1) copy of quitclaim
- f) Deed of Absolute Sale
- g) One (1) Photostatic copy of its assay
- h) Two (2) Sketch Plans

"6. That should court action become necessary to enforce collection of the cost of 100,000 bags of cement, the SELLER shall be liable to pay the CEPOC liquidated damages in the amount of ₱5,000.00, 25% attorney's fees and costs of the suit."

Under the first assignment of error, appellant claims that by the terms of the contract above-quoted, which, according to him are clear and need no interpretation, his obligation thereunder to refund the amount equivalent to the cost of the 100,000 bags of Apo cement delivered to him by CEPOC, would arise only after the said company shall have conducted the stipulated exploration on his mining claims, and that, therefore, upon the fact found by the lower court and not controverted by appellee, "that no exploration has been made by the plaintiff (appellee) up to the present", it should have ruled that said appellee corporation cannot ask for refund. And under the second assignment of error, it is his contention that he could not be compelled to return the price of the 100,000 bags of cement he had received from appellee, because the same was paid to him in consideration of the six-months option

he gave said appellee and not as part of the purchase price of his gypsum. In other words, the contention of appellant is that whereas the appellee paid him with 100,000 bags of cement for the option he gave the corporation, he in turn agreed to return either the cement or its price or the equivalent thereof in gypsum only if the appellee would undertake in fact the exploration of the mine, and inasmuch as no such exploration has been done or even begun by appellee, no obligation has arisen on his part to return or pay for the cement in any way.

We find this pose of appellant to be well taken. The words of the contract are clear. It is therein provided unequivocally that "Cepoc shall deliver . . . (the) cement, and in consideration thereof, the Cepoc is given the option . . . to purchase the mineral claims of" appellant. That appellant agreed to return said cement in the event that after undertaking the stipulated exploration work in appellant's mine Cepoc should decide not to proceed with the purchase contemplated in the option does not alter the character of the delivery of the cement to appellant as the consideration for no more than said option.

His honor, the trial judge, expressed surprise that "99,900 bags of cement valued at P274,725.00 were given by the plaintiff to defendant in consideration of the option, which under ordinary conditions should be only a nominal amount but which in this case is more than one-half of the offered price of P500,000 (Annex A to the stipulation)" and dubbed the contract as tainted with a "gross irregularity." We do not agree. To start with, if indeed the delivery by Cepoc of 99,900 bags of cement to appellant "in consideration of the option" he gave to the corporation to purchase his gypsum rights appeared to His Honor as a "surprising . . . irregularity", what should have been done was to ask the parties to explain it, and not to presume that something was wrong with it without more basis than His Honor's personal appraisal of the situation, arrived at without the benefit of any evidence presented by the parties on that point. We think it is not inconceivable that the parties might have had their own just reasons for their covenant.

What is worse, appellee never complained about any irregularity or unfairness in the terms of the agreement. The cause of action alleged in its complaint is simply that Cepoc had "decided not to exercise the option to purchase the aforesaid gypsum claims and instead (had) chose(n) to demand payment from the defendant of the purchase price of the aforesaid quantity of cement". This, after alleging in Paragraph 4 of the same complaint that "for and in consideration of the aforesaid 100,000 bags of APO cement, plaintiff (Cepoc) was given the

option to purchase defendants gypsum claims." Clearly, the trial court's solicitous concern about the propriety of the terms agreed by the parties is plainly officious and uncalled for. There is neither allegation nor evidence made or presented by appellee indicating that it had been deceived or otherwise taken advantage of by appellant. His Honor's dictum that "justice and equity also demand that the amount of ₱274,725.00, value of the 99,900 bags of cement delivered by the plaintiff to the defendant, be returned to the plaintiff" relates to no issue joined by the parties. In the premises, it is the ruling of the trial court, rather than the contract in question, that "is not merely irregular, but extrajudicial and invalid, for 'it adjudicates matters beyond the issues and upon which the parties were not heard' . . ." (*Salvante vs. Cruz*, 88 Phil. 236, at p. 244). "It is a well-known principle in procedure that courts have no jurisdiction or power to decide a question not in issue" (*Lim Toco vs. Go Fay*, 80 Phil. 166).

If the express terms of the contract in question are not clear enough as to the point in dispute, an examination of the circumstances which brought it into being should dispel any misgiving as to the intent of the parties regarding what the delivery of the 100,000 bags of cement to appellant was for and as to when the obligation to return the same would arise. These may be readily gathered from the annexes which form part of the stipulation of the parties and from the affidavit of Nestor G. Legazpi, the member of the board of directors of appellee corporation who was the Chairman of the Committee on New Projects and who appeared to be the official acting on behalf of the corporation in the transaction with appellant here in dispute. This affidavit was submitted together with appellant's motion for new trial, and although this motion was denied by the trial court, the affidavit was admitted as part of the evidence, without objection on the part of appellee, in lieu of the new trial, albeit His Honor found nothing in it that could, in his opinion, alter the result. Said affidavit reads thus:

"I. NESTOR G. LEGASPI, of legal age, lawyer and businessman, and residing at Cebu City, after having been duly sworn, depose and state:

THAT I was a member of the Board of Directors of the Cebu Portland Cement Company (CEPOC) in the years 1960 and 1961, and also the Chairman of the said company's COMMITTEE ON NEW VENTURES until January, 1962.

THAT the Committee on New Ventures of the CEPOC was created in order to study and plan new ventures in which the CEPOC could invest in view of the sale or disposition of its cement factories and other assets in Bacnotan, Cebu, Romblon and other places, from which it had collectible accounts of almost ₱15-million for investment in new business.

That one of the business in which the CEPOC intended to engage then was the mining of gypsum, in view of the prevailing shortage of this mineral in the Philippines.

THAT in line with the above program, the Committee conducted a search for mineral deposits of commercial value and quantity in the country, with the help of research and prospecting facilities of the Bureau of Mines and CEPOC technical men.

THAT in our said search for gypsum, we came upon the gypsum deposits in the Bicol region the claims over which are owned by Mr. Tereso Dumon, a businessman then who was later to become a Member of the Congress of the Philippines in 1962.

That long before November 11, 1960, we already knew that the gypsum deposits covered by Mr. Dumon's claims were the only known deposits of commercial quantity in the country, and they had been the subject of exploration work during the last war by the Japanese who had dug tunnels in the mines. The Bureau of Mines affirmed our findings.

"Being certain of the vast potential of the Dumon gypsum deposits, and anxious to acquire the same, we sounded out Mr. Dumon on the feasibility of his disposing of his mining claims in favor of CEPOC. At first, he was hesitant because he then had a contract with one Dr. Acebedo under which the claims were committed to the latter, and in fact a certain firm had expressed a desire to mine the gypsum deposits and to put up a factory in the Philippines for the mining of gypsum and the manufacture of gypsum boards, walling and roofing materials. Mr. Dumon assured us that as soon as Dr. Acebedo would release him from his contract, or fails to comply with the same, he would give the CEPOC preference over the German offer. We then suggested to Mr. Dumon that he submit a proposal to our company for our acquisition of his gypsum claims and he offered the sale of his claims for a straight cash price of P500,000.00, as we did not, however, want to part with half a million pesos without first conducting exploration work, we asked Mr. Dumon to give us first an option to purchase instead of a definite contract of sale.

We succeeded in inducing Mr. Dumon to give us the option by assuring him that with our facilities, equipment, technical knowhow and finance, we were in a position to undertake the most extensive exploration and mining operations so that even if we did not purchase his claims after the exploration, he would still benefit from the exploration work conducted on his claims. To this, he agreed provided we gave him 150,000 bags of cement plus the exploration work.

In our negotiations, we assured Mr. Dumon that the CEPOC would undertake the exploration work on his claims, that we had the money to do it, and that we would not abandon the exploration work. We told him, however that in the remote event our exploration work did not justify our estimates of the deposits' potential, we would reserve our right to desist from making the purchase, and in this event he would pay for the 100,000 bags of cement we paid as consideration for the option to purchase. Mr. Dumon backed at this reservation we wanted, saying that if we failed to conduct any exploration work and still require the payment of the 100,000 bags of cement he would not be getting any benefit from the transaction, in which case he would be better off with Acebedo or the German offer. To prevent his backing out of the contract at a stage when we had already almost closed the transaction, we assured Mr. Dumon that the exploration work would be a condition precedent to our desisting from the purchase and requiring

him to pay for the 100,000 bags of cement either in cash or in gypsum should he take over the mining operations after we have conducted the exploration on his claims. With this agreement, we formalized the contract between the company and Mr. Dumon.

"THAT the CEPOC was completely prepared to undertake the exploration work on Mr. Dumon's mines; in fact, we had already made representations with the Bureau of Mines to conduct the most extensive exploration including Test Pitting and Diamond Drilling, when the administration of President Macapagal took over the reins of government in 1962 and replaced most of the members of the Board of Directors, including myself. Subsequently, I learned that the new general manager, Mr. Fulvio Pelaez, had cancelled the exploration work and desisted from the purchase of Mr. Dumon's claims, due to 'precarious cash position of the Company,' which excuse is quite unfounded considering that the CEPOC had about P15-million coming from the sale of its cement and marble plants.

"IN WITNESS WHEREOF, I have signed this sworn statement this 10th day of March, 1966, at the City of Manila, Philippines.

(Sgd.) Nestor G. Legaspi
t/ NESTOR G. LEGASPI

It is quite clear to Us that the recitals in the above affidavit are fully supported by the tenor of the following communications between the parties:

Annex "A-3"

"CEBU PORTLAND CEMENT COMPANY

September 15, 1961

Mr. Tereso Dumon
Manila Hotel Annex
Manila

S i r :

In connection with your offer to sell to this Company your gypsum claims in Oas, Albay, we wish to inform you that the Committee has decided to require you to share one-half of whatever expenses to be incurred in connection with the exploration work on your property.

If this meets with your approval, please notify us immediately.

Very truly yours,

(Sgd.) NESTOR G. LEGASPI
Chairman
Executive Committee
on New Projects
(CEPOC)

Annex "A-4"

September 18, 1961

Cebu Portland Cement Company
Manila

Attention: Mr. Nestor G. Legaspi
Chairman
Executive Committee
on New Projects

S i r :

With reference to your letter of the 6th instant, I regret to inform you that I cannot accede to your proposition, because the price quoted in my basic communication is as is. If I share 50%,

the amount needed to cover the other half would be insignificant such that I would prefer to do it alone and offer it to you in accordance with the quantity of the minerals blocked at its prevailing price, which would mean several millions.

With this in view, I would expect that you could see the justification of my stand.

Truly yours,

(Sgd.) TERESO DUMON

Annex "A-5"

October 18, 1961

The Cebu Portland Cement Co.
Manila

Gentlemen:

Attention: Atty. NESTOR LEGASPI
Committee Chairman

With reference to your desire to purchase my gypsum deposit in the Bicol Region after your exploration work yields good results, I wish to state that I would be willing to accept the proposition to wait for you for a period of six months provided you will give me 150,000 bags of cement for the option.

I wish to hear from you at your earliest convenience.

Yours truly,

(Sgd.) TERESO DUMON

Annex "A-6"

October 19, 1961

Mr. Tereso Dumon
L-20 Manila Hotel Annex
Manila

S i r :

I am in receipt of your letter concerning your proposition for payment of 150,000 bags of cement for the option for six months to purchase your gypsum claims at Cagmanaba and Nagas, Oas, Albay,

In reply thereto, would you be amenable to the following terms and conditions:

1. The consideration of option shall be 100,000 bags instead of 150,000 bags.

2. That in case our Company, after the exploration, decides not to continue the negotiation to purchase property you will refund the amount equivalent to the cost of 100,000 bags computed at the current price. In case we decide to continue the purchase, the 100,000 bags shall be considered as part of the consideration.

3. That the period of six months of the option shall be extended for another six months at the request of CEPOC.

4. In the event that CEPOC decides not to purchase your gypsum claims and you decide to undertake the mining operations yourself, you shall supply us on first priority basis, gypsum equivalent to the amount of the cement the prices of both to be computed at the current prices.

5. Submit all the pertinent papers on your Gypsum Claims.

Please inform us of your decision on this matter to enable us to

submit it to our Board of Directors and higher authorities for approval.

Very truly,

COMMITTEE ON NEW PREJECTS
(Sgd.) NESTOR G. LEGASPI
Chairman

Annex "A-7"
October 20, 1961

The Board of Directors
Cebu Portland Cement Co.
Manila

Attention: Atty. NESTOR G. LEGASPI
Chairman, Committee
New Projects

S i r :

1. This is to acknowledged receipt of your letter of the 19th instance with the information that the consideration of the option of 100,000 bags instead of 150,000 bags is hereby accepted.

2. That in case your company, after the exploration, decides not to continue the negotiations to purchase the property, I will refund the amount equivalent to the cost of 100,000 bags computed at current price. In case you decide to continue the purchase, the 100,000 bags shall be considered as part of the consideration.

3. That the period of six (6) months of the option shall be extended for another six (6) months upon request of the CEPOC.

4. In the event that CEPOC decides not to purchase my gypsum claims and that I decide to undertake the mining operation myself, I shall supply yourselves on first-priority basis, gypsum equivalent to the amount of the cement, the prices of both to be computed at current prices.

5. For your perusal, I am submitting to you the following papers:

- (a) Forty-four (44) Declaration of Locations
- (b) Five (5) Mining Lease Contracts in 3 Sheets
- (c) Eight (8) Applications for Lease of Mining Claims
- (d) Investigation Report of the Bureau of Mines by Supervising Geologist Mr. Amable Cruz
- (e) One (1) copy of quitclaim
- (f) Deed of Absolute Sale
- (g) One (1) Photostatic copy of its assay
- (h) Two (2) Sketch Plans

Please allow me to expect your immediate action.

Truly yours,

(Sgd.) TERESO DUMON"

(Record on Appeal, pp. 23-29)

That the 100,000 bags of cement in question were delivered to appellant "in consideration of the option" and that the appellant would have to return the same only after the stipulated exploration has been undertaken by appellee are more than borne out by the aforementioned evidence. In other words, with the option to purchase having been actually given to and enjoyed by appellee, on the one hand, and with the delivery of the agreed number of bags of cement (minus 100) to appellant having been actually made by appellee, there can be no question as to

the mutuality of the respective prestations and compliance therewith by both parties insofar as the option is concerned. The return of the cement in consideration of the exploration is a matter entirely independent of the option and the consideration therefor. From what appears from the evidence, it was the understanding of the parties that the obligation of Cepoc to make the exploration was definite and unconditional, whereas the return of the cement was conditioned upon the completion of the exploration. Whether this was a good bargain or not is not within our province to decide. Long ago, in *Vales vs. Villa*, 35 Phil. 769, We already disclaimed the role of being the guardian of the interests of parties to a contract thus:

"All men are presumed to be sane and normal and subject to be moved by substantially the same motives. When of age and sane, they must take care of themselves. In their relations with others in the business of life, wits, sense, intelligence, training, ability and judgment meet and clash and contest, sometimes with gain and advantage to all, sometimes to a few only, with loss and injury to others. In these contests men must depend upon themselves—upon their own abilities, talents, training, sense, acumen, judgment. The fact that one may be worsted by another, of itself, furnishes no cause of complaint. One man cannot complain because another is more able, or better trained, or has better sense or judgment than he has; and when the two meet on a fair field the inferior cannot murmur if the battle goes against him. The law furnishes no protection to the inferior simply because he is inferior, any more than it protects the strong because he is strong. The law furnishes protection to both alike—to one no more or less than to the other. It makes no distinction between the wise and the foolish, the great and the small, the strong and the weak. The foolish may lose all they have to the wise; but that does not mean that the law will give it back to them again. Courts cannot follow one every step of his life and extricate him from bad bargains, protect him from unwise investments, relieve him from one-sided contracts, or annul the effects of foolish acts. Courts cannot constitute themselves guardians of persons who are not legally incompetent. Courts operate not because one person has been defeated or overcome by another, but because he has been defeated or overcome illegally. Men may do foolish things, make ridiculous contracts, use miserable judgment, and lose money by them—indeed, all they have in the world; but not for that alone can the law intervene and restore. There must be, in addition, a violation of law, the commission of what the law knows as an actionable wrong, before the courts are authorized to lay hold of the situation and remedy it."

But even putting this doctrinal rule aside, and looking more closely at the terms in question, We are not convinced that they are altogether inequitably one-sided, much less unconsciously disadvantageous to Cepoc. From aught that can be gathered from the record, the price of P500,000 for which appellant had agreed to sell the unlimited amount of gypsum Cepoc would mine from his claims was relatively low. (See Annex A-4). Obviously, this price was fixed taking into account that appellant would not have to share

in the cost of exploration, from which, if it were indeed to be done, he would benefit, whether the purchase of his gypsum went through or not. In other words, if the purchase were to materialize because the exploration had resulted favorably, he would get the P500,000 price without having to spend for exploration, whereas, if after the exploration, Cepoc should desist for reasons of its own, he would still have the benefit of the exploration left with him. On the part of Cepoc, by conducting the exploration, it was to have gypsum at a cheaper price even with the cost of exploration being borne by it, although in case the result of the exploration were to be negative, it would have to shoulder the expenses thereof, a venture the corporation must have thought worthwhile under the circumstances.

And so, appellant agreed that should the purchase be consummated, the price of the cement already delivered to him should be deducted from the agreed purchase price of P500,000, but if it did not go through, he would pay for said cement, either in cash or in gypsum, thus leaving Cepoc none the worse, except for what it would spend for the exploration. Central in all of these, of course, is the actual undertaking of the exploration.

Accordingly, it being uncontroverted that, as found by the trial court, Cepoc did not bother to fulfill its end of the bargain by entirely omitting to do any exploration work at all, not to speak of its failure to proceed with the stipulated purchase of appellant's gypsum, We cannot find any basis for acceding to its demand for the return of the cement or its price, the same having been paid, in accordance with the contract between the parties, in consideration of a totally different prestation, the option given to it by appellant to purchase his gypsum, and the prerequisite condition for such return, namely, the exploration of appellant's mining claims not having been done by appellee. In fact, the trial court found, in effect, that Cepoc had violated the contract in question, for it sentenced the corporation to pay for "the damage and prejudice and unrealized profit" it found appellant had suffered "because plaintiff did not make the required exploration and proceed with the purchase." It fixed the amount of these damages at P13,736.25.

We view the matter differently. We are of the considered opinion that inasmuch as appellant, by this decision, will get the full consideration for the option, it is no longer necessary for him to be paid the damages adjudged by the trial court.

In view of the conclusions arrived at by the Court as above discussed, it is unnecessary to deal with the rest of the assignments of error in appellant's brief, except as to

the reference made therein to the shortage of 100 bags in the delivery made by Cepoc, which We consider to be *de minimis*.

WHEREFORE, the judgment of the trial court is modified by reversing the portion thereof sentencing appellant to pay appellee ₱260,988.75, dismissing the complaint of plaintiff-appellee, and eliminating the award of ₱13,736.25 damages to defendant-appellant.

No costs.

Makalintal, C.J., Antonio, Fernandez and Aquino, JJ., concur.

Fernando, J., did not take part.

Judgment modified. Complaint of plaintiff dismissed; portion sentencing appellant to pay reversed and award of damages to him eliminated.

[No. L-29318. November 29, 1974]

SECOND DIVISION

ANGEL NASIAD and ERNESTO LOZADA, petitioners and appellants *vs.* THE COURT OF TAX APPEALS, respondents and appellee.

Diosdado C. Roque for the petitioners.

Solicitor General Felix V. Makasiar and *Solicitor Augusto M. Amores* for the respondent.

APPEAL from a decision of the Court of Tax Appeals.

SYNOPSIS

In a raid conducted on a vessel in Davao City, sacks of copra and coffee, allegedly owned by petitioners, were seized by the Collector of Customs. Documents and papers relative to the foreign origin of the goods were also seized by a combined team of government agents in the hotel room of the character of the vessel. Relying on the doctrine enunciated in the case of *Stonehill vs. Diokno*, petitioners invoked their constitutional right against illegal searches and seizures, contending that the goods, not being imported, were not subject to seizure and forfeiture; and that the forfeiture, being based on documents illegally seized through violence and intimidation, was invalid. The Court of Tax Appeals ruled against petitioners, the *Stonehill* doctrine not being applicable as they were not the parties who could invoke the constitutional protection. Neither the vessel nor the documents belonged to them. They elevated the matter in a petition for review.

The Court in view of the findings of fact of the respondent Court and in accordance with the well-settled doctrine that the objection to an unlawful search and seizure must come from the person aggrieved and not from third parties sustained respondent Court.

Decision affirmed.

SYLLABUS

of the Ruling of the Court

1. CONSTITUTIONAL LAW; RIGHT AGAINST UNREASONABLE SEARCHES AND SEIZURES; OBJECTION THERETO PURELY PERSONAL.—It is well settled that the legality of a seizure can be contested *only* by the party whose rights have been impaired thereby, and that the objection to an unlawful search and seizure is *purely personal* and cannot be availed of by third parties. The right to object to the admission of seized papers in evidence belongs exclusively to the party to whom the seized effects belong, and may not be invoked by others.
2. *Id.*; *Id.*; *Id.*; PETITIONERS WITHOUT PERSONALITY TO CONTEST SEARCHES AND SEIZURES IN INSTANT CASE.—Petitioners' effort to condemn respondent Court when it took into consideration the evidence yielded by what was alleged to be illegal searches

and seizures is futile. Their plea finds no support in the authoritative filings of the Court.

3. COURTS; COURT OF TAX APPEALS; FINDINGS OF FACT THEREOF ENTITLED TO RESPECT.—It has been the constant holding of this Court from *Sanchez vs. Commissioner of Customs* (102 Phil. 37), a 1957 decision, to *Vi Ve Chemical Products, Inc. vs. Commissioner of Customs*, (L-28693, promulgated September 30, 1974), that in the absence of a showing of an abuse or improvident exercise of the authority of the Court of Tax Appeals, the facts as determined by it must be accorded deference. They are well-nigh conclusive.

OPINION OF THE COURT

FERNANDO, J.:

It is a circumstance, not devoid of significance, that petitioners, in seeking a reversal of a decision of the Court of Tax Appeals dated April 26, 1968, affirming the forfeiture decreed by the Commissioner of Customs of smuggled copra and coffee, would concentrate on the alleged violation of the constitutional guarantee against illegal searches and seizures.¹ It is undoubted that there was a raid conducted on September 19, 1966 on a vessel owned by a certain Jose G. Lopez, followed thereafter in the afternoon by the seizure of certain documents found in the hotel room of the charterer, one Tomas Velasco, both of whom are third parties. Petitioners were not the persons whose rights were trampled upon. To state the basic contention as thus posed would readily disclose the lack of merit of this appeal. The invocation of *Stonehill vs. Diokno*,² as pointed out in the comprehensive answer of the then Solicitor General Antonio P. Barredo,³ now an Associate Justice of this Court, is futile and unavailing. For even on the hypothetical assumption of the illegality of the search and seizure, the evidence secured were not utilized against the persons who were possessed of the standing to complain of the alleged transgression of their

¹ Under the 1935 Constitution then in force, it is provided in Article III, Sec. 1, par. (3): "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, to be determined by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized." Such a provision is reproduced in substantially the same language in Article IV, Sec. 3 of the present Constitution, one notable modification being that the probable cause may now "be determined by the judge, or such other responsible officer as may be authorized by law, * * *."

² L-19550, June 19, 1967, 20 SCRA 383.

³ He was assisted by then Assistant Solicitor General, now Judge Augusto M. Amores.

rights. Moreover, as will be shown, the facts as found by respondent Court, well-nigh conclusive on us, call precisely for the judgment as thus rendered. The denial that there was any smuggling was to be expected. That did not make it any more convincing. Nor did petitioners gain in any wise by the employment of such language of hyperbole as "unmitigated acts of plunder, vandalism and robbery" attributed to the law-enforcement teams.⁴ That at the most was a conjecture dressed up in gaudy rhetoric that needed support in the evidence, to be of any persuasive effect, again even if the attack on the search could validly emanate from such quarter. There is nothing in the petition then that will justify a reversal of the decision of respondent Court of Tax Appeals.

As noted in the appealed decision, the issue submitted "for resolution is the legality of the seizure made by the Collector of Customs of Davao of the 1,408 sacks of copra and 86 sacks of coffee allegedly owned by the petitioners."⁵ Then came this portion: "Petitioners claim that the 1,408 sacks of copra and 86 sacks of coffee in question were purchased in Kiamba, Lumatin, and Lumasal, all in the province of Cotabato, from a certain Osmeña Juanday. Petitioners contend that, inasmuch as the said goods were not imported and of foreign origin, they are not legally subject to seizure and forfeiture. They likewise contend that the forfeiture made by the Collector of Customs of Davao was invalid because the said forfeiture was based on documents and papers which were illegally seized by agents of the Government through violence and intimidation. Respondent denies petitioners' claim. He contends that the evidence is sufficient to hold that the goods in question came from Indonesia and subsequently brought to the Philippines in violation of our laws and, therefore, subject to forfeiture; and that the Indonesian documents and papers allegedly secured illegally by the combined team of NBI, PC and RASAC agents stationed in Davao, were in fact lawfully and validly secured by them. Consequently, said documents and papers are admissible in evidence in the forfeiture proceedings instituted administratively by the Collector of Customs of Davao."⁶ It was then set forth: "The voluminous [evidence] of record clearly show that M/V [Jolo Lema] had been under strict surveillance by the combined team of agents of the NBI, PC, RASAC, and City Police of Davao prior to its apprehension at a private wharf in Batjak, Sasa, Davao City; that the said M/V [Jolo Lema]

⁴ Petition, par. 1, under the heading, The Case and the Facts, 5.

⁵ Ibid, Decision of the Court of Tax Appeals, Annex E, 3.

⁶ Ibid, 4-5.

was skippered (sic) by Capt. Aquilino Pantinople and chartered by Mr. Tomas Velasco; during the period from the latter part of August to September 18, 1966, the said vessel was in Indonesian waters where it loaded copra and coffee beans from Taruna, Pitta, and Mangenito, all of Indonesia * * *; that in its trip to Indonesia it brought various merchandise from the Philippines which were exchanged and/or bartered for copra and coffee beans and subsequently taken to Davao City * * *; and that said vessel passed Marore, Indonesia on September 18, 1966 on its way to Tahuna, Indonesia * * * before proceeding to Davao City where it was apprehended on September 19, 1966.”⁷ Then came the reference to the evidence and the testimonies of the witnesses of both parties, being appraised by respondent Court, which did not find any ground to discredit the finding of respondent Collector of Customs. As therein pointed out: “The evidence does not show any plausible motive for respondent’s witnesses to falsify the truth because they represent different agencies of the government. From all appearances, they have no personal interest whatsoever over the goods subject of the forfeiture proceedings. Besides, petitioners have not adduced any evidence showing that they were enemies of the witnesses for the government. In short, no iota of evidence was ever presented by the petitioners to destroy the integrity of the government witnesses and to cast a cloud of doubt on their testimonies.”⁸ Also: “The decision of the Collector of Customs of Davao shows that a petitioner herein and at the same time one of the claimants of the confiscated copra and coffee beans, Mr. Ernesto Lozada, is the Officer-in-Charge of the vessel M/V [Jolo Lema]. It is not surprising, therefore, that the members of his crew repudiated their sworn statements given to government agents.”⁹ Then, lastly: “Moreover, petitioners failed to explain satisfactorily, much less refute the vital testimony of Fiscal Mariano Umali of the Department of Justice, Manila, that the various Indonesian documents * * * duly authenticated by the Indonesian Consulate in Manila, show in clear detail that the vessel M/V [Jolo Lema] was in Indonesia during the period from the latter part of August to September 18, 1966, and that it loaded copra and coffee beans therein before the said vessel returned to Davao City on September 19, 1966. Petitioners’ failure to successfully dispute or destroy said testimony by competent and reliable evidence strongly indicates that the copra and coffee beans in question were imported from Indonesia.”¹⁰

⁷ Ibid, 5-6.

⁸ Ibid, 12.

⁹ Ibid, 13.

¹⁰ Ibid, 14-15.

What other decision could there be, in the light of the above facts and the relevant statutory provisions, except one sustaining the forfeiture. So respondent Court of Tax Appeals ruled. This appeal was taken by petitioners. They have not, as made clear at the outset, made out a case for reversal. We affirm.

1. The "factual backdrop" already made mention of in the opening sentence of this petition dealt solely with the alleged illegality of the search and seizure on September 19, 1966, carried out on board the vessel, the M/V Jolo Lema, and the hotel room of a certain Tomas Velasco. After which, there was this characterization by petitioners as to the government's case for forfeiture being "founded on quicksand."¹¹ That was a far-from-felicitous choice of words. It did backfire on them. In the light of the proven facts and the applicable law, it is their appeal that is "founded on quicksand." Necessarily, it had to collapse of its own weight or, more properly speaking, of its own lack of weight. So it was made plain in the answer submitted by the then Solicitor General Antonio P. Barredo. One of the special and affirmative defenses submitted is that petitioners have no cause of action. Thus: "2. Petitioners have no cause of action because— (a) They have no personality to contest the searches and seizures complained of, since at the time the searches and seizures were allegedly conducted, the vessel belonged to Jose G. Lopez and was chartered by Tomas Velasco, and the hotel room was occupied by said Velasco and his wife, and so petitioners not being parties-in-interest over the so-called Indonesian documents and effects * * *, petitioners may not invoke the Constitutional right against unlawful search and seizure. * * * (b) The disputed evidence was presented in CTA No. 1855 (Angel Nasiad and Ernesto Lozada, petitioners, *vs.* The Commissioner of Customs, respondent) only against petitioners Angel Nasiad and Ernesto Lozada, who, as already adverted to, can not invoke the aforestated Constitutional objection. (c) Inapplicable here is the doctrine enunciated in *Stonehill vs. Diokno, et al.*, G. R. No. L-19550, June 19, 1967, in view of the existence of the following circumstances in the instant case: (1) The vessel's search was effected as an incident of a lawful arrest, and the hotel room was voluntarily delivered to NBI Agent Reynolds by the persons who had custody thereof; and (3) As already previously stated, said disputed Indonesian documents and effects were not used as evidence against the persons who

¹¹ Ibid, par. 4.

have interests thereon, namely, Jose G. Lopez and Tomas Velasco.”¹²

There is force and substance to the contention that *Stonehill vs. Diokno*¹³ is inapplicable. As was so clearly pointed out in the opinion rendered by the then Chief Justice Concepcion: “Indeed, it is well settled that the legality of a seizure can be contested *only* by the party whose rights have been impaired thereby, and that the objection to an unlawful search and seizure is *purely personal* and cannot be availed of by third parties. Consequently, petitioners herein may not validly object to the use in evidence against them of the documents, papers and things seized from the offices and premises of the corporations adverted to above, since the right to object to the admission of said papers in evidence belongs exclusively to the corporations, to whom the seized effects belong, and may not be invoked by the corporate officers in proceedings against them in their individual capacity.”¹⁴ Petitioners are thus bereft of any legal support. Their effort to condemn respondent Court when it took into consideration the evidence yielded by what was alleged to be illegal searches and seizures is marked by futility. Only by disregarding a doctrine aptly characterized as “well-settled” could the slightest attention be paid to their submission. That, we are not disposed to do. It is one thing to assure that constitutional rights remain inviolate; it is an entirely different matter, one devoid of justification in law, no less than in morals, one moreover at war with the valid state policy against the evils of smuggling, if a constitutional right, personal in character, could be seized upon by a third party engaged in an illegal activity. That would be to demean a constitutional mandate. For even a cursory perusal of what did transpire yields no other conclusion except that the forfeited cargo of copra and coffee was smuggled. The Commissioner of Customs who decreed the forfeiture had thus to be sustained by respondent Court of Tax Appeals.

2. Its finding of facts is entitled to respect. It has been the constant holding of this Court from *Sanchez vs. Commissioner of Customs*,¹⁵ a 1957 decision, to *Vi Ve Chemical Products, Inc. vs. Commissioner of Customs*,¹⁶ promulgated only last September, that in the absence of a showing of an abuse or improvident exercise of the authority of respondent Court, the facts as determined

¹² Answer of respondent Court of Tax Appeals, 17-19.

¹³ L-19550, June 19, 1967, 20 SCRA 383.

¹⁴ *Ibid*, 390.

¹⁵ 102 Phil. 37.

¹⁶ L-28693, September 30, 1974.

by it must be accorded deference. They are well-nigh conclusive.¹⁷

WHEREFORE, the decision of respondent Court of Tax Appeals dated April 26, 1968 is affirmed. Costs against petitioners.

Makalintal, C. J., Antonio, Fernandez and Aquino, JJ., concur.

Barredo, J., did not take part.

Decision affirmed.

¹⁷ Cf. *Castro vs. Collector of Internal Revenue*, L-12174, April 26, 1962, 4 SCRA 1093; *Commissioner vs. Priscila Estate, Inc.* L-18282, May 29, 1964, 11 SCRA 130; *The Philippine Guaranty Co., Inc. vs. Commissioner of Internal Revenue*, L-22074, Sept. 6, 1965, 15 SCRA 1; *Yupangco and Sons vs. Commissioner of Customs*, L-22259, Jan. 19, 1966, 16 SCRA 1; *Republic vs. Razon*, L-17462, May 29, 1967, 20 SCRA 234; *Balbas vs. Domingo*, L-19804, Oct. 23, 1967, 21 SCR 444; *Reyes vs. Commissioner of Internal Revenue*, L-24020, July 29, 1968, 24 SCRA 198; *Chu Hoi Horn vs. Court of Tax Appeals*, L-22046, Oct. 29, 1968, 25 SCRA 809; *Dy Peh vs. Collector of Internal Revenue*, L-19375, May 21, 1969, 28 SCRA 216.

MGA HATOL NG HUKUMAN NG MGA PAGHAHABOL
(DECISIONS OF THE COURT OF APPEALS)

RICARDO G. DE LEON, CHIEF, REPORTER'S DIVISION

[No. 39519-R. June 20, 1974] *

MUTUAL FINANCING CORPORATION, plaintiff and appellee,
vs. ARTEMIO F. YUNZAL, ET AL., defendants and
appellants.

1. OBLIGATIONS; ASSIGNMENT OF CREDITS AND CONVENTIONAL SUBROGATION, DISTINGUISHED.—Assignment of credits, which is regulated by Chapter 8, Title IV, Book IV, more particularly Articles 1624, 1625 and 1626 of the Civil Code, and conventional subrogation under Article 1301 of the same Code, are different things. Conventional subrogation is a novation of contract while assignment of credits is a mere cession of right; in conventional subrogation an obligation is extinguished and another appears; in assignment, the same obligation, without being extinguished, is transferred to another (Volume IV, Civil Code, Annotated by Padilla, p. 558, 6th Edition, 1974).
2. ID.; PROMISSORY NOTE; ASSIGNMENT; CONSENT OF DEBTOR NOT NECESSARY.—In the absence of a stipulation to the contrary, the holder of a promissory note may assign the same without the consent of the debtor.

APPEAL from a judgment of the Court of First Instance
of Manila. Federico C. Alikpala, *J.*

The facts are stated in the opinion of the Court.

Alidio, Advincula, Astraquillo, Arias & Laguio for defendant and appellant Asian Surety & Ins. Co., Inc.

No appearance for defendant and appellant Artemio F. Yunzal.

Manuel L. Querubin for plaintiff and appellee.

MARTIN, *J.*:

From the decision of the City Court of Manila sentencing defendant Artemio F. Yunzal and defendant Asian Surety & Insurance Co., Inc. to pay, jointly and severally, to plaintiff Mutual Financing Corporation the sum of ₱5,000.00 with interest thereon at the rate of 12 per cent per annum for September 23, 1964 until payment thereof, plus ₱500.00 for attorney's fees and costs; and the cross-defendant Artemio F. Yunzal to reimburse the cross-claimant Asian Surety and Insurance Co., Inc. any amount which it may pay to the plaintiff, plus interest at the rate of 6 per cent per annum from date of actual payment, plus ₱500.00 attorney's fees, defendant and cross-claimant Asian Surety Insurance Co., Inc. has taken an appeal to the Court of First Instance of Manila.

* Vol. 19 C.A.R. (2s), p.—.

The records reveal that on September 23, 1964, Artemio F. Yunzal and Gaudencio Cloribel executed jointly and severally a promissory note in favor of Tiara Development Corporation for the sum of P5,000.00 with interest thereon at 12 per cent a year payable on March 23, 1965. To secure the payment of the obligation they, as principals, and Asian Surety and Insurance Co., Inc., as surety, executed a bond in the amount of P5,000.00 in favor of Tiara Development Corporation. On October 22, 1964, the Tiara Development Corporation assigned all its rights and interests in the promissory note to the plaintiff, Mutual Financing Corporation. In said assignment only defendant Artemio F. Yunzal and defendant Asian Surety & Insurance Co., Inc. appeared to have given their consent. Upon failure of defendant Artemio Yunzal and Gaudencio Cloribel to settle their obligations on its maturity on March 23, 1965, the plaintiff through its counsel made formal demands on the defendant Surety on March 30, 1965 for the payment of the principal sum of P5,000.00 plus P300.00 interest. This was followed by another demand on May 20, 1965 but still no payment was made by the defendant Surety.

On August 25, 1965 plaintiff filed an action in the City Court of Manila against Artemio F. Yunzal and the Asian Surety & Insurance Co., Inc. only, for the recovery of the principal and interest due on the promissory note plus 25 per cent for attorney's fees and costs. Defendant Artemio F. Yunzal failed to answer, so he was declared in default. Defendant Asian Surety & Insurance Co., Inc. answered and set up the defense that the consent of all the original parties to the assignment of the promissory note to the plaintiff had not been duly obtained and therefore whatever liability the defendant Surety may have on its surety bond had already been extinguished. By way of counter-claim, said defendant Surety company prayed that should judgment ever be rendered against it in favor of the plaintiff, defendant Artemio F. Yunzal be ordered in turn to pay it whatever amount the plaintiff may collect from the cross-claimant plus P1,000.00 attorney's fees.

After trial, the lower court rendered judgment the dispositive portion of which reads as follows:

"WHEREFORE, judgment is hereby rendered sentencing defendant Asian Surety & Insurance Co., Inc. to pay the plaintiff, Mutual Financing Corporation, the sum of P5,000.00, with interest thereon at the legal rate from August 25, 1965, until fully paid and costs of suit.

"So ORDERED."

From said judgment, defendant Surety company has taken an appeal to this Court assigning the following errors:

1. The trial court erred in applying the law on assignment of credits covered by Articles 1624, 1625 and 1626, of the New Civil Code.
2. The trial court erred in rendering judgment in not absolving appellant from any liability on the surety bond.
3. The trial court erred in rendering judgment against the cross-defendant Artemio F. Yunzal.

The main thrust of defendant Surety's argument is that in the light of the provisions of Article 1301 of the New Civil Code, the assignment of the promissory note in favor of the plaintiff Mutual Financing Corporation was ineffective because it did not bind Gaudencio Cloribel who had not given his consent to said assignment. Being ineffective, it does not bind the defendant-appellant. Article 1301 of the Civil Code provides:

"ART. 1301.—Conventional subrogation of the third person requires the consent of the original parties and of the third persons."

Defendant-appellant contends that pursuant to the above provision subrogation can only be valid as against the debtor of third person if the consent of all the original parties to the contract has been obtained. It claims, however, that in the present case the consent of Gaudencio Cloribel was not required or obtained by the plaintiff-appellee; that there was not even any showing that Cloribel was not notified of such assignment. Even the alleged letter addressed to Cloribel notifying him of such assignment has not been shown to have been received by the latter. Defendant-appellant, therefore, submits that since Cloribel's consent has not been obtained the assignment made by the Tiara Development Corporation in favor of plaintiff-appellee did not produce any legal effect and no right whatsoever was acquired by the plaintiff-appellee insofar as the promissory note and the surety bond were concerned. The argument of the defendant-appellant would have been tenable if the arrangement between appellant and appellee were that of subrogation of right. But this is not the case in the present appeal. The lower court was right when it states that the defendant confuses conventional subrogation which is governed by Article 1301 of the Civil Code with assignment of credits, which is regulated by Chapter 8, Title IV, Book IV, more particularly Articles 1624, 1625 and 1626 of the Civil Code. Assignment of credit and conventional subrogation are different things. Conventional subrogation is a novation of contract while assignment of right is a mere cession of right; in conventional subrogation an obligation

is extinguished and another appears; in assignment, the same obligation, without being extinguished, is transferred to another (See Volume IV, Civil Code, Annotated by Padilla, p. 558, 6th Edition, 1974).

In the case before Us, it is a fact that there is only one obligation, that is the promissory note (Exhibit A) wherein appellant made itself jointly and severally liable by securing the same (Exhibits B and C-1) and it is the same obligation that was passed to appellee from Tiara Development Corporation. There is no provision in the promissory note (Exhibit A) which prohibits it from being assigned, so the holder thereof has every right to assign the same in its entirety to appellee even without the consent of the debtor, including Gaudencio Cloribel. The consent of one of the debtors, Cloribel, in the deed of assignment is not necessary.

Defendant-appellant also challenges the decision of the lower court for not absolving it from any liability on the surety bond. It contends that in not securing the written consent of Gaudencio Cloribel, the co-debtor of Artemio F. Yunzal, the Deed of Assignment in effect has discharged Cloribel from the obligation on the promissory note and left Yunzal and appellant liable on said promissory note and that this increased the risk undertaken by the appellant on its surety bond and prejudiced its rights for which reason, appellant claims, it should be discharged from its obligation. It argues that its risk on the surety bond is increased because Cloribel has not been impleaded as a party-defendant and therefore it should be discharged from its obligation. We cannot subscribe to the argument because the liability of Yunzal and Cloribel in the promissory note is joint and several which means that the surety bond executed by the appellant would remain the same even if only one of the makers of the note, in this case Yunzal, is being required to pay. So in the present case, even if Cloribel is not impleaded but only Yunzal, the latter stands to be liable under the promissory note because his liability with Cloribel is joint and several and if he cannot pay his surety can be made to answer for its obligation under the surety bond. It cannot be discharged on the excuse that its risk has been increased.

Defendant-appellant also claims that the lower court erred in not rendering judgment against the cross-defendant Artemio F. Yunzal. It is evident from the decision of the trial court that only the defendant Asian Surety & Insurance Co., Inc. is sentenced to pay the sum of ₱5,000.00, with interest thereon at the legal rate until fully paid. No pronouncement, however, was made as to the liability of the cross-defendant Artemio F. Yunzal. We believe

the lower court made no error in this regard for the reason that cross-defendant Artemio F. Yunzal did not appeal the decision of the City Court of Manila, sentencing him to reimburse the defendant-appellant of whatever amount the latter may pay the plaintiff. Since Artemio Yunzal did not appeal from this decision of the City Court of Manila, the same has become final and executory. Being final and executory there is nothing the trial court could do about it in its decision.

IN VIEW OF THE FOREGOING, the judgment appealed from is hereby affirmed *in toto*. With costs against defendant-appellant.

IT IS SO ORDERED.

Gancayco and Serrano, JJ., concur.

Judgment affirmed.

[No. SP-02432-R.* July 11, 1974]**

JOSE M. DERECHO, ET AL., petitioners, *vs.* HON. JESUS DE VEYRA, ET AL., respondents.

1. SERVICE BY MAIL; PRESUMPTIONS.—If a notice of pre-trial is sent by ordinary mail, then the presumption arises that five (5) days thereafter the addressee thereof has received the notice. However, if the notice is sent by registered mail, then service is deemed completed and effected upon the addressee's failure to claim his mail on the 5th day after the first notice of the postmaster (Section 8, Rule 13, Rules of Court). There is the presumption that a notice sent by mail arrived at its destination (*Pyle vs. Johnson*, 9 Phil. 249, 251) when there is no intimation that the address is erroneous and that the postal authorities did not properly perform their duties. It is, therefore, presumed that the usual notice of arrival of the notice at the post office is delivered at the addressee's office (*Islas vs. Platon*, 47 Phil. 162, 164) and receipt thereof will be presumed in the absence of proof to the contrary (*Vann vs. Marbury*, 100 Ala. 438, 14 So. 273, 23 LRA 325; 46 Am. St. Rep. 70, cited in *Martin's Rules of Court*, Vol. 1, 2nd edition, 422). The presumption is that the postal authorities in the place where the notice is mailed and the place where it is addressed performed their duties regularly (Section 5 [m] Rule 131, Rules of Court). All these cannot be overcome by a mere denial by the addressee that he failed to or did not receive such notice.
2. PRE-TRIAL; WAIVER; NON-APPEARANCE OF PARTIES AND COUNSEL; COURT'S DISCRETION NOT TO DISMISS COMPLAINT OR DECLARE DEFENDANT IN DEFAULT.—Section 2, Rule 20 of the Rules of Court, is by no means exclusive. A trial judge has the discretion whether or not to dismiss a complaint or to consider the defendant as in default. If a trial court can dismiss the complaint or to adjudge the defendant in default for failure to appear at a pre-trial conference, then there is nothing in the said rule that prohibits the court from taking a lesser degree of action by considering the pre-trial conference waived and ordering the case set for trial on the merits. There is nothing in Rule 20 which provides that pre-trial cannot be waived.
3. ISSUES; BAR BY ESTOPPEL; CASE AT BAR.—Where the first counsel of plaintiffs did not object to the manner in which the lower court issued the notice of pre-trial but instead accepted it and even asked for the postponement of the hearing, and the second lawyer as well as plaintiffs themselves proceeded with the trial and cross-examined the witnesses of the defendant until the latter rested its case, the issue of non-service of the notice of pre-trial, presented in the trial court by third counsel of the plaintiffs, is barred by estoppel.**

ORIGINAL ACTION in the Court of Appeals.

The facts are stated in the opinion of the Court.

Maramara, Plaza & Montalban Law Offices for petitioners.

William R. Veto for respondents.

* Vol. 19, C.A.R. (2s), p. —.

** See Resolution, dated November 11, 1974, denying motion for reconsideration.

PASCUAL, J.:

The insistence on the part of petitioners of their right to pre-trial, their belief that several orders issued by respondent court in Civil Case No. 85848 were contrary to law, their conclusion that the act of respondent Judge in issuing the questioned orders constituted a grave abuse of discretion, and their allegation that there is no plain, speedy and adequate remedy available to them, resulted in this petition for certiorari, prohibition and mandamus with preliminary injunction.

The petitioners pray, among others, for:

1) a writ of certiorari to set aside, revoke and declare null and void the following: the order of June 21, 1972 (Annex C; Petition, p. 13) which treated the pre-trial waived and setting the case for trial; the order of September 10, 1973 (Annex F; Petition, p. 29) which denied the motion for a pre-trial conference and to set aside proceedings; and the order of September 14, 1973 (Annex H; Petition, p. 38) which denied the motion for reconsideration of the order of September 10, 1973;

2) a writ of mandamus to compel the respondent Judge to conduct a pre-trial hearing;

3) a writ of prohibition restraining the respondent Judge from further proceeding with the trial of the case.

In the same petition it is urged that a writ of preliminary injunction be issued by this Court to enjoin and/or restrain the respondent Judge, pending the final determination of the present petition, from further proceeding with the case. This was granted pursuant to a resolution of this Court dated October 2, 1973.

There is no dispute as to what transpired heretofore in this case. On December 21, 1971, the Equitable Banking Corporation (hereinafter referred to as the Bank) filed before the Court of First Instance of Manila, Branch XIV, a complaint against Jose M. Derecho, Tomasita D. Derecho and Virgilio Monteclaro for the recovery of the sum of ₱1,125,854.49 (Annex A; Petition, p. 9), docketed as Civil Case No. 85848. Defendants Jose M. Derecho and his wife Tomasita D. Derecho were first represented by Attorney Tranquilino O. Calo, Jr., while defendant Virgilio Monteclaro was represented by Attorneys Guzman, Marquez & Associates. Issues having been joined, the Bank filed on May 23, 1972, a motion to set the case for pre-trial (Annex B; Petition, p. 12), serving copies of its motion on the defendants on the same day by registered mail (*Idem*). Acting upon said motion, the respondent Judge set the case for pre-trial on June 21, 1972, indicating the order in his own handwriting on the face of the motion (*Idem*). When the case was called on June 21, 1972, neither defend-

ants Jose and Tomasita Derecho nor their counsel were present. Defendant Monteclaro, through counsel, asked that the pre-trial hearing be postponed (Annex C; Petition, p. 13). Feeling that the reason given for the petition was inadequate, the lower court denied the request. Counsel for the Bank then moved that all the defendants be declared in default. But the lower court denied this too and instead issued an order treating the pre-trial waived and set the case for trial on the merits on July 21, 1972 (Annex C; Petition, p. 13). After several postponements, viz., July 15, 1972, August 14, 1972, September 11, 1972, October 5, 1972, and November 9, 1972, the trial finally proceeded on December 19, 1972, and on subsequent dates thereto, namely, February 14, 1973, June 25, 1973 and July 6, 1973, where the defendants Jose and Tomasita Derecho were represented, this time, by a different counsel, Attorney K. V. Faylona and his associates. Upon formal submission of its exhibits on August 15, 1973 (Annex D; Petition, p. 15), the Bank rested its case.

On September 3, 1973, defendants Jose and Tomasita Derecho through another set of counsel, Attorneys Mararama, Plaza and Montalban, filed a motion to set aside the proceeding already had in the case and to have the case set anew for pre-trial (Annex F; Petition, p. 25) on the ground that defendants Jose and Tomasita Derecho did not receive a copy of the Bank's motion to set the case for pre-trial nor the copy of the order of the court of May 27, 1972 setting the case for pre-trial on June 21, 1972. The motion was denied on September 10, 1973 (Annex F; Petition, p. 29) for the reason that the defendant spouses, Jose and Tomasita Derecho, had already entered into trial and cross-examined the witnesses for the plaintiff Bank and that it was too late for the third set of lawyers for the said defendants to ask for a pre-trial. A motion for reconsideration (Annex G, Petition, p. 30) was denied on September 24, 1973 (Annex H; Petition, p. 38) prompting the defendants Jose and Tomasita Derecho to institute this special civil action.

This Court in a resolution dated October 2, 1973 gave due course to the petition (CA Rollo, p. 39), issued a writ of preliminary injunction upon petitioners' posting a bond of ₱1,000.00 (CA Rollo, p. 41), and required respondents to answer the petition within 10 days from receipt of summons.

Respondent Bank in its answer of October 13, 1973, traversed the material allegations of the petition, justified the orders complained of, and alleged that Attorney Calo, first counsel for the petitioners, received copies of the notice of pre-trial and the notices of subsequent hearings.

As an affirmative defense, respondent Bank alleged that the failure of the petitioners Jose and Tomasita Derecho to appear at the pre-trial conference is a waiver on their part of the pre-trial conference.

The issue posed by the petition before this Court is whether or not the orders of the respondent Judge, namely, that of July 21, 1972, considering the pre-trial waived and setting the case for trial; that of September 10, 1973, denying the motion to set aside the proceedings had after June 21, 1972; and that of September 24, 1973, denying the motion to reconsider the order dated September 10, 1972, were issued with grave abuse of discretion.

Petitioners contend that the orders complained of were issued with grave abuse of discretion because:

- 1) Pre-trial is mandatory as required by Section 1, Rule 20 of the Rules of Court;

- 2) The absence of a pre-trial in a civil case renders the proceedings made after such omission null and void, in the light of the provisions of Article 5 of the Civil Code;

- 3) Rule 20 of the Rules of Court does not authorize the dispensation or waiver of a pre-trial; and

- 4) Petitioners were not duly notified of the pre-trial hearing on June 21 1972.

The assailed order dated June 21, 1972 declaring the pre-trial as having been waived by the petitioners with the consequential directive setting the case for trial on July 21, 1972 is predicated on the fact that the petitioners failed to appear at the pre-trial hearing, although they were duly notified thereof. The inquiry is thus shifted to the key issue of whether or not the petitioners received such notice so as to justify the issuance of the assailed order dated June 21, 1972. The petitioners maintain that neither they nor their counsel received the notice for the pre-trial conference set for June 21, 1972.

The claim of the petitioners is not credible. Copy of the notice setting the case for pre-trial as directed in the order of May 27, 1972 (Annex B; Petition, p. 12) and copy of the notice setting the case for formal hearing on July 21, 1972 as directed in the order of June 21, 1972 (Annex C; Petition, p. 13) after the lower court considered the defendants (petitioners herein) to have waived pre-trial when they failed to appear for it does not appear in the record of the case before this Court. It is, thus, difficult to determine when they were sent, how they were sent, and when they were received by the petitioners and their counsel. This Court, therefore, has to rely on the averments of the petitioners themselves that the record of Civil Case No. 85848 shows that a copy of the notice of

the order of May 27, 1972, setting the case for pre-trial on June 21, 1972 was sent to Atty. Calo (Petition, Par. E. p. 3) and that a copy of the notice of the order of June 21, 1972, considering the defendants (petitioners herein) to have waived the pre-trial conference and setting the formal trial for July 21, 1972, was also sent to Atty. Calo (Petition, Par. I, p. 4).

Petitioners, therefore, concede that a copy each of the court's orders of May 27, 1972 and June 21, 1972, were posted at Manila by mail. If they were sent by ordinary mail by the clerk of court, then the presumption arises that five (5) days thereafter the petitioners and their counsel received the notices. However, if the notices were sent by registered mail by the clerk of court, then service is deemed completed and affected upon the addressee's failure to claim his mail on the 5th day after the first notice of the postmaster (Section 8, Rule 13, Rules of Court). Then, again, there is the presumption that a notice sent by mail arrived at its destination (*Pyle vs. Johnson*, 9 Phil. 249 at p. 251), there being no intimation in the record before this Court that the addressee of counsel and petitioners were erroneous; indeed they are correct. There is also nothing in the record before this Court to show that the postal authorities did not properly perform their duties. It is, therefore, presumed that the usual notice of arrival of the notices at the post office were delivered at the counsel's office (*Islas vs. Platon*, 47 Phil. 162 at p. 164) and receipt thereof will be presumed in the absence of proof to the contrary (*Vann vs. Marbury*, 100 Ala. 438, 14 So. 273, 23 LRA 325; 46 Am. St. Rep. 70, cited in *Martin's Rules of Court*, Vol. I, 2nd edition, p. 422). The presumption is that the postal authorities in Manila and in Agusan del Norte performed their duties regularly (Section 5 [m] Rule 131, Rules of Court). All these cannot be overcome by a mere denial by the petitioners that their first lawyer, Attorney Tranquilino O. Calo, failed to or did not receive such notices.

But the fact of the matter is that these notices were received by the petitioners' first counsel. This is shown by the *factum probans* that on August 14, 1972 Attorney Calo asked the lower court, by means of a telegram, to postpone the trial set for that very day as well as the trial set for September 11, 1972 to October 6, 1972. The *factum probandum* is further fortified by the uncontroverted fact that the notices have never been returned to the lower court either as unclaimed or undelivered. If this were not a fact, surely the petitioners or their lawyers would have complained about it either in a formal manner or in the proceedings held subsequent thereto. Instead, the record

shows, as stated earlier, that the petitioners through their first counsel, Attorney Calo, even asked for the postponement of the trial set for August 14, 1972 and September 11, 1972 in a telegram dated August 14, 1972. In his telegraphic motion, petitioners expressly admitted that they received notice of the trial set for September 11, 1972. Thereafter, the petitioners went to trial and their second set of lawyers, Attorney K. V. Faylona and his associates, never raised this matter. Whatever be the reason of petitioners' two former counsels failure to raise this matter leaves this Court with no basis to upset the proceedings already had in the court below. A different approach would render litigations interminable since one lawyer could disagree with the action or inaction of another lawyer who preceded him in the case.

Implicit in this cluster of facts is the acquiescence of the petitioners to the order of June 21, 1972, which considered the petitioners to have waived pre-trial because of their non-appearance despite notice to them. And in at least three instances, the petitioners even expressly manifested their conformity to said order. First, as mentioned above, in the telegraphic motion for postponement dated August 14, 1972, sent by petitioners' first counsel, Attorney Calo, requesting continuance of the hearing of the case set for August 14, 1972 and September 11, 1972 to October 6, 1972 (Answer, Par. 2[b], CA Rollo, p. 42). Second, in the motion for postponement filed by petitioners' second counsel, Attorney K. V. Faylona and his associates, of the scheduled hearings of October 6, 1972 and November 9, 1972 (Memorandum for Respondent, Par. 7, CA Rollo, p. 56). Third, in the appearance of the second counsel of record in the hearings of December 19, 1972, February 14, 1972, June 25, 1973, and July 6, 1973, at which hearings the second counsel for the petitioners cross-examined the witnesses for the plaintiff (Annex F, CA Rollo, p. 29; Annex H, CA Rollo, p. 38; Answer, Par. 7 [c], CA Rollo, p. 45; Annex 1 to Answer, CA Rollo, p. 48; Respondent's Memorandum, Par. 8, CA Rollo, pp. 56, 57). Indeed, according to the respondent Bank, in some of these hearings, the petitioners themselves were present and neither they nor their counsel ever questioned the proceedings or moved that a pre-trial be held anew.

The attack levelled by the petitioners' third counsel, Attorneys Maramara, Plaza and Montalban, against the pre-trial order of June 21, 1972 "after plaintiff had rested its case and counsel of record for the Derecho spouses had a chance to cross-examine the witnesses (Annex F, CA Rollo, p. 29) is too late, stated in another way, the petitioners are now barred by estoppel and by their failure

to timely assail the propriety of the action taken by respondent Judge thereon in the proceedings below.

Owing to the failure of petitioners and their counsel to appear at the pre-trial hearing despite notice to them, the trial court had the right to conclude that the petitioners had waived the pre-trial, and ordered the case set for trial. The action of the trial court finds support in Section 2, Rule 20 of the Rules of Court which provides that "a party who fails to appear at a pre-trial conference may be non-suited or considered as in default."

Petitioners insist that there is nothing in Section 2, Rule 20 of the Rules of Court which authorizes a court to consider the non-appearance of a party as a waiver of pre-trial. This Court is unable to see any merit in this contention. Petitioners seem to have overlooked the fact that Section 2, Rule 20 of the Rules of Court, which provides that a party who fails to appear at a pre-trial conference may be non-suited or considered as in default, is by no means exclusive. It is clear from its phraseology that a trial judge has the discretion whether or not to dismiss a complaint or to consider the defendant as in default. Thus, if a trial court can dismiss the plaintiff's complaint or to adjudge the defendant in default for failure to appear at a pre-trial conference, then there is nothing in the said rule that prohibits the court from taking a lesser degree of action by considering the pre-trial conference waived and order the case set for trial on the merits. Petitioners make much ado about the contention that pre-trial cannot be waived by a party by citing Article 6 of the Civil Code. But there is nothing in Rule 20 which provides that pre-trial cannot be waived.

Petitioners further insist that a pre-trial should be had in this case "inasmuch as there is need for them, before they present their defense, to amend their answer, which they could have done had there been a pre-trial and which they will do as soon as pre-trial is ordered." (Petition, Par. B, p. 6.) Again, this Court is unable to see why a pre-trial conference is necessary for this purpose. Under Section 3, Rule 10 of the Rule of Court they can even offer substantial amendments upon leave of court. Surely petitioners may even amend their pleading at any stage of the action before the rendition of final judgment, upon leave of court (*Uy vs. Uy*, 2 SCRA 675 at p. 681) without the need of a pre-trial, for it would be impractical (Cf. *Insurance Company of North America vs. Republic*, 21 SCRA 887 at p. 889). In fact this step is a plainer, speedier and more adequate remedy for their purpose than filing a special civil action in this Court. Petitioner contends in their Memorandum that this is not their only

object in asking for a pre-trial but that they would like also to ask the respondent Bank to amend its complaint in order to include therein two other persons as co-defendants of the other defendants in the civil case before the lower court. The answer to this contention is no different than that stated above. Petitioners can address themselves to the lower court on this matter.

WHEREFORE, it is the finding of this Court that the respondent Judge did not act with grave abuse of his discretion when he issued the orders of June 21, 1972, September 10, 1973 and September 24, 1973. The petition is dismissed and the preliminary injunction issued by this Court on October 3, 1973 is hereby revoked and set aside. Costs against petitioners.

SO ORDERED.

Reyes A. and Chanco, JJ., concur.

Petition dismissed.

PASCUAL, J.:

We stated in our decision that under the circumstances of this case the petitioners are estopped from raising the issue of non-service of the notice of pre-trial on them. The record before this Court shows that the first counsel of the petitioners did not object to the manner in which the lower court issued the notice of pre-trial but instead accepted it and even asked for the postponement of the hearing set on August 14 and September 11, 1972 to October 6, 1972. The second lawyer for the petitioners as well as the petitioners themselves proceeded with the trial of the case and cross-examined the witnesses for private respondent until the latter rested its case upon submission of its exhibits. The petitioners have not advanced any fresh ground to make this Court reconsider its decision.

The motion for reconsideration is hereby denied for lack of merit.

SO ORDERED.

Reyes A. and Chanco, JJ., concur.

Motion denied.

[No. 10770-CR. June 20, 1974] *

THE PEOPLE OF THE PHILIPPINES, plaintiff and appellee,
vs. FLORENTINO PRIETO, accused and appellant.

ORAL DEFAMATION; PUBLICATION; POSSIBILITY THAT PUBLIC MIGHT HAVE KNOWN OF UTTERANCE OF DEFAMATORY STATEMENT.—The requirement that the imputation must be public is fully satisfied when the defamatory statements are uttered or “delivered in a manner that makes it possible for the public to know it, even if actually only one person happens to learn of it.” (2 Aquino, *The Revised Penal Code*, p. 1693, 1961 ed.).

APPEAL from a judgment of the Municipal Court of Oroquieta, Misamis Occidental. Malcolm S. Enerio, J.

The facts are stated in the opinion of the Court.

Nicasio S. Macoy for accused and appellant.

Solicitor General Felix Q. Antonio, Assistant Solicitor General Conrado T. Limcaoco and Trial Attorney Florencio E. Jacinto for plaintiff and appellee.

TANTUICO, JR., J.:

Dissatisfied with the decision of the Municipal Court of Oroquieta, Misamis Occidental, the dispositive portion of which reads as follows:

“In view of this observation, this court is of the opinion that the accused is guilty beyond reasonable doubt of the crime of Serious Oral Defamation as provided in Article 358 of the Revised Penal Code, and hereby sentences him to suffer the penalty of One (1) Year and One (1) Day to One (1) Year and Eight (8) Months imprisonment and to pay the costs of this action.” (P. 3, Decision.)

Florentino Prieto interposed the instant appeal submitting—

“I.—That, the lower court erred in convicting the accused, whose guilt has not been proved beyond reasonable doubt by prosecution witnesses, whose testimonies are all hearsays, conveyed and related by said witnesses themselves to the offended party privately without the presence of the accused and other persons hearing them (Guillerma Orboc, t.s.n., pp. 2-28; Sinda Linda Plaza, t.s.n., pp. 29-37; Offended Party, t.s.n., pp. 38-55);

“II.—That the lower court erred in allowing illegally the offended party, who, upon her filing the civil case No. 1032 on July 13, 1968, loses her interest and personality in the prosecution of this case she filed on July 1, 1968 according to law (Complaint, Exh. ‘B’ t.s.n., p. 41, Moran, Vol. 4, 1963 Edition, Comments, Sec. 5, Rule III, p. 68, New Rules of Court, and cases cited thereon);

“III.—That, the lower court erred in convicting the accused, who has not uttered or spoken the alleged defamatory words, either publicly, or in the presence of the offended party and other persons, which facts are tacitly admitted and corroborated by the prosecution witnesses Guillerma Orboc (t.s.n., pp. 2-28); Sinda Linda Plaza (t.s.n., pp. 29-37), and by the offended party herself (t.s.n., pp. 38-55), and

* Vol. 19 C.A.R. (2s.), p. —.

"IV.—That, the lower court erred in convicting the accused relying on the alleged testimonies of Teresita Plaza, Crispina Caisado and Petra Tamsi, who are not witnesses in this case, either for the prosecution, or for the defense (Decision, Second to the last paragraph; Index, t.s.n., p. 1)." (pp. 1-2, Accused-Appellant's Brief).

Florentino Prieto was charged before the Municipal Court of Oroquieta, Misamis Occidental with serious oral defamation, committed according to the complaint signed by Esterlita Vicente as follows:

"That on June 4, 1968 and sometime before and after that date, in barrio Mobod, Oroquieta, Misamis Occidental, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused with the deliberate intent of bringing the herein complainant into discredit, dishonor, contempt and ridicule on her womanhood before her friends, neighbors and community, did then and there willfully, unlawfully, feloniously and publicly speak and utter against the complainant the following words and expressions, to wit: 'Kana si Ester perdida na na nako. Probitsahan ko lang nang babayhana, ng ingna siya nga makig estoria ko niya adto sa kusina ni Ersing kay mag lami an pod mi,' 'Nagdate kami ni Ester, didto sa yuta ni Petra Borromeo; magpalami lang mi'g datedate, probitsahan ko lang nang bayhana; nagmata la'g buntag nang tatay ana,' (That Ester had intercourse with me, I will just take advantage of her womanhood, and tell her that I want to converse with her in the kitchen of Ersing we would be tasting sweetness again. I dated with Ester in the land of Petra Borromeo, we enjoyed our date, I took advantage on that woman, her father not knowing anything,' and other words of similar imports and meaning, which exposed the complainant to dishonor, disrepute, humiliation and contempt, to her fellowmen and in the presence of many.

"Contrary to law, Art. 358, Rev. Penal Code.

* * * * *

(Exh. "B.")

From the evidence of the prosecution it may be gathered that the accused uttered defamatory statements against the honor of the complainant, Esterlita Vicente on at least two occasions.

Sometime in the morning of June 4, 1968, Guillerma Orboc went to the municipality of Canubay in Oroquieta, Misamis Occidental to collect from her debtors. While she was waiting in the *tuba* store of a certain Asyon, the accused passed by riding a bicycle. Recalling the previous night's incident wherein Prieto's mother-in-law stood near the eaves of complainant's house shouting for her son-in-law to come out, Guillerma Orboc hailed the accused by asking: "Where were you last night since your mother-in-law Nene Pepeto was looking for you" (t.s.n., p. 2, October 2, 1969). The accused replied that "he dated with Esterlita Vicente in the land of Petra Borromeo" and "why would we get married, we would enjoy the pleasure of dating, anyway the parents do not know about it." (t.s.n., p. 3, *id.*). Realizing that the

statements of the accused cast aspersions upon the honor of the complainant, Orboc related them to Esterlita's father.

Again, on June 25, 1968, the accused approached Sinda Linda Plaza saying—

"A. He said that that girl is already badly damaged he will just make use of her. Tell her that I want to talk with her in the kitchen to have pleasure with her.

"Q. Who is that woman referred to?

"A.—Ester Vicente." (t.s.n., p. 30, *id.*)

When Sinda Linda Plaza conveyed the message to the complainant, she got angry. Whereupon, Sinda Linda Plaza reported back to the accused the reaction of the complainant, prompting Prieto to remark that "he would only make use of her but he will not marry her." (t.s.n., p. 32, *id.*)

On the other hand, the defense of the accused rests simply upon his denial in court of having uttered the defamatory remarks attributed to him, and an alibi to the effect that on the night of June 3, 1968 he stayed home to take care of the small children as his mother-in-law attended a dance held at the public market of Loboc.

It is at once apparent from a perusal of the theory of the defense that appellant's blanket denial of the defamatory remarks attributed to him without an iota of evidence to support such denial, is utterly devoid of merit, especially in view of the positive and unbiased testimonies of the witnesses for the prosecution.

The same is true of the alibi advanced by appellant, for aside from its inherent weakness, We find that the fact that he may have stayed home all night on June 3, 1968—when his mother-in-law allegedly created a scene in the neighborhood—has absolutely no bearing at all on the question of whether or not he uttered the defamatory statements on June 4 and 25, 1968 to Guillermo Orboc and Linda Sinda Plaza, respectively.

Appellant further advances the proposition that since the evidence for the prosecution did not show that "he publicly uttered the defamatory words before her friends, neighbors, and community in the presence of many" (pp. 10-11, Accused-Appellant's Brief), the Court *a quo* erred in finding him guilty as charged.

The requirement that the imputation must be public is fully satisfied when the defamatory statements were uttered or "delivered in a manner that makes it possible for the public to know it, *even if actually only one person happens to learn of it.*" (2 Aquino, The Revised Penal Code, p. 1693, 1961 ed.; italic supplied.) in like manner—

"* * * There is oral defamation even if other persons and not the offended party heard the slanderous words. This principle is

in accordance with sound reason because even if the offended party himself has not heard the slanderous words, his reputation is affected if such words were heard by persons whose opinions regarding his honesty and integrity may be lowered." (2 Aquino, *op. cit.*, p. 1748, citing Clarin, CA 37 O.G. 1106; Balbastro, CA 47 O.G. 1297.)

As for appellant's objection to the intervention of a private prosecutor in the case, suffice it to say that Atty. Percival Catane entered his appearance in the case only at the conclusion of the evidence for the prosecution, *without objection* on the part of counsel for the defense, the conduct of the case having been previously handled by Fiscal Siton, so that Atty. Catane's participation consisted merely in the cross-examination of the witnesses for the defense.

Moreover, the objection of the appellant to the participation of the offended party in the criminal case refers to the civil liability only. Hence, there being no award for damages in the case at bar, appellant's objection is of no consequence.

WHEREFORE, the decision appealed from is hereby affirmed *in toto*, it being in accordance with the law and evidence adduced during the trial.

Costs against appellant.

SO ORDERED.

Leuterio and Lim, JJ., concur.

Judgment affirmed.

**MGA KAUTUSANG PANGPANGASIWAAN AT ALITUNTUNIN NG
MGA KAGAWARAN, KAWANIHAN AT TANGGAPAN**
(DEPARTMENT, BUREAU AND OFFICE ADMINISTRATIVE
ORDERS AND REGULATIONS)

Kataas-taasang Hukuman ng Pilipinas
(SUPREME COURT OF THE PHILIPPINES)

SUPREME COURT OF THE PHILIPPINES
MANILA

ADMINISTRATIVE SUPERVISION
OF COURTS

ADMINISTRATIVE ORDER No. 18

In the interest of the administration of justice and pursuant to Article X, Section 5(4) of the new Constitution, the Honorable REGINA ORDOÑEZ-BENITEZ, Presiding Judge of the Juve-

nile and Domestic Relations Court, Caloocan City, is hereby temporarily assigned to preside over the Juvenile and Domestic Relations Court of Quezon City, effective immediately, until the return of Judge Leonor Ines-Luciano, who is on official leave abroad.

Manila, May 20, 1975

(Sgd.) QUERUBE C. MAKALINTAL
Chief Justice

Kagawaran ng Katarungan
(DEPARTMENT OF JUSTICE)

OPINION No. 55, s. 1975
April 8, 1975

The Secretary of Foreign Affairs
Manila

Sir:

This refers to your request for opinion regarding the citizenship status of an illegitimate child born of a Filipino mother and an alien father "who later married each other and acknowledged the child to be their offspring."

I believe that the said illegitimate child may be deemed a citizen of the Philippines by birth.

Having been born outside of wedlock of a Filipino woman and an alien father, this child at birth took after the Philippine citizenship of his mother, his only legally recognized parent. (*U.S. vs. Ong Tianse*, 29 Phil. 332 [1915]; *Santos Co vs. Government of P.I.*, 52 Phil. 453 [1928]; *Serra vs. Republic of the Philippines*, 91 Phil. 914 [1952]; *Retuniel Sy Quimson vs. Republic of the Philippines*, 92 Phil. 675 [1953]; *Petalla vs. Republic of the Philippines*, 95 Phil. 949 [1954] and *Board of Immigration Commissioners, et al. vs. Beato Go Callano*, 25 SCRA 890 [1968]):

And the subsequent legitimation of said child brought about by the marriage of his parents could not have had the effect of divesting the child of his said Philippine citizenship. For citizenship once acquired remains and can only be lost in the means provided by law. As may be

seen from a perusal of Commonwealth Act No. 63, section 1, *infra*, which enumerates the ways by which Philippine citizenship may be lost, legitimation is not one of such modes:

"Sec. 1. How citizenship may be lost. A Filipino citizen may lose his citizenship in any of the following ways and/or events:

- (1) By naturalization in a foreign country;
- (2) By express renunciation of citizenship;
- (3) By subscribing to an oath of allegiance

to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more x x x;

(4) By rendering service to, or accepting commission in, the armed forces of a foreign country x x x;

(5) By cancellation of the certificate of naturalization;

(6) By having been declared by competent authority, a deserter of the Philippine Armed Forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted, and

(7) In the case of a woman, upon her marriage to a foreigner, if by virtue of the laws in force in her husband's country, she acquires his nationality."

True, by Article 272 of the Civil Code, legitimation makes the legitimated child entitled to "the same rights as legitimate children", to take

effect from the time of the child's birth (Art. 273, *Ibid*). But this provision should be taken in context, and thus taken it could only refer to the rights of legitimate children specifically enumerated in Article 264 of the same Code which reads:

"ART. 264. Legitimate children shall have the right:

(1) To bear the surnames of the father and of the mother;

(2) To receive support from them, from their ascendants, and in a proper case, from their brothers and sisters, in conformity with article 291;

(3) To the legitime and other successional rights which this Code recognizes in their favor."

This provision, it is plain to see, does not make any mention of the acquisition of citizenship. This is as it should be because "the law on citizenship is political in character" unlike the provisions of the Civil Code and "citizenship is not a right similar to those that exist between husband and wife or between private persons" (e.g. between parents and children) which are civil in character. (*Lo Beng Ha Ong vs. Republic*, 25 SCRA 247 [1968], citing *Roa v. Collector of Customs*, 23 Phil. 315).

The foregoing discussion would of course apply regardless of whether the illegitimate child is born and/or legitimated before the effectivity of the new Constitution or thereafter, as the same law and jurisprudence (regarding the acquisition at birth by an illegitimate child of the mother's citizenship, the ways of losing Philippine citizenship and the results of legitimation), as above-discussed, would be applicable in all such eventualities.

Please be guided accordingly.

Very truly yours,

(Sgd.) CATALINO MACARAIG, JR.
Acting Secretary of Justice

OPINION No. 56, s. 1975

April 8, 1975

The Secretary of Foreign Affairs
Manila

Sir:

This is in reply to your letter requesting reconsideration of Opinion No. 29 dated March 7, 1974, as modified by Opinion No. 50 dated April 18, 1974, of this Office, regarding the taxability of the allowances of foreign service personnel.

We ruled in the cited opinions that the various allowances of personnel of the Department of Foreign Affairs, except cost of living allowances, are not considered emolument within the meaning of Section 6, Article XV, of the new Constitution. You submit that "all allowances of the Department of Foreign Affairs personnel are not taxable under the new Constitution", and that since cost of living allowances are expended also for an official purpose, i.e., to maintain a standard of living commensurate with the representative capacity of the diplomatic or consular official abroad, there is no difference in purpose between the cost of living allowances and the other allowances of personnel assigned abroad.

I regret that I am unable to agree with you. In preparing our earlier opinions, we took into consideration the provisions of R.A. No. 708 describing the various allowances, and, as noted in Opinion No. 50, unlike in the case of living quarters allowance where choice of living quarters is required to be officially certified by the principal officer of the mission, there is no similar constraint on the manner in which the cost of living allowances is spent, indicating that the latter is intended principally for the personal benefit of the officer receiving it. Moreover, it appears that cost of living allowances are fixed on the basis of the salary of the incumbent and the number of dependents, and apparently, without regard to the actual or prevailing conditions at a given post of assignment. This indicates that this allowance is intended to augment salary and should be treated as additional compensation.

In connection with our ruling that the living quarters allowances of personnel in the Home Office are taxable as compensation, it is stated that by virtue of Presidential Administrative Order No. 116, s. 1966, "the Home Office of the Department of Foreign Affairs is considered a diplomatic post". It is also pointed out that the function of representation of foreign service personnel does not cease upon assignment to the Philippines since they would still be dealing with the local diplomatic community. Even conceding both points, I am unable to agree that the allowances of all local personnel should be treated in the same manner as the allowances of personnel assigned abroad. As pointed out in our earlier opinion, living quarters allowances are granted to foreign service personnel "assigned abroad" to meet an expense directly incident to the establishment of his residence at his post of assignment, and logically, was not granted by the Foreign Service Act to personnel in the home office. If the same allowances are granted to personnel in the home office, this gesture is intended clearly to augment their basic salaries, rather than for the official representation of the government which they serve. Thus, it will be noted, living quarters allowances are enjoyed

even by employees who do not act in representative capacities, nor deal with the local diplomatic community.

The fact that the DFA Home Office is considered a diplomatic post under Administrative Order No. 116 of the Office of the President is not controlling, since the order refers to the classification of posts for salary and assignment purposes enumerated in the order, but not for purposes

of the granting of allowances defined in the Foreign Service Act.

Opinions Nos. 29 and 50, both series of 1974, of this Office, are reiterated accordingly.

Very truly yours,

(Sgd.) CATALINO MACARAIG, JR.
Acting Secretary of Justice

Bangko Sentral ng Pilipinas

(CENTRAL BANK OF THE PHILIPPINES)

BANGKO CENTRAL NG PILIPINAS
(CENTRAL BANK OF THE PHILIPPINES)

MAYNILA, PILIPINAS

Office of the Deputy Governor

CIRCULAR LETTER

May 5, 1975

TO: ALL BANKS

Effective immediately, for purposes of uniformity in reporting, banks shall prepare the report and certification required under Circular Letter dated February 11, 1975, regarding real estate transaction by and between the bank and its related interests, in accordance with the attached prescribed format—CBP-7-16-31 "Sworn Statement on Real Estate Transaction", as approved by the Governor, which shall be submitted to the Central Bank thru the Department of Commercial and Savings Banks (DCSB) within ten (10) banking days after approval of the transaction, either original or renewal by the bank's board of directors.

However, for the following cases, the report shall be submitted within ten (10) banking days from the date of receipt of this Circular Letter:

1. Real estate transactions which were transacted, consummated, and approved by the bank's board of directors between February 11, 1975 and the date of receipt of this Circular Letter; and
2. Real estate transactions which were transacted, consummated, and approved by the bank's board of directors prior to February 11, 1975, but which are still continuing, enforceable, under implementation, or renewed on February 11, 1975 and thereafter.

Please be guided accordingly.

(Sgd.) JAIME C. LAYA
Deputy Governor

SUBMISSION:

Original & duplicate—DCSB

DEADLINE:

Ten (10) banking days after approval of the transaction by the bank.

(Name of Bank)

(Address)

SWORN STATEMENT ON REAL ESTATE TRANSACTION

REPUBLIC OF THE PHILIPPINES

} S.S.

Pursuant to C.B. Circular Letter dated February 11, 1975, we, members of the Board of Directors of this Bank, do solemnly swear that the following are true and correct to the best of our knowledge and belief:

- A. That the accompanying copy of the agreement/contract involving the herein named directors/officers/stockholders owning

2% or more interest holding in the bank's subscribed capital stock, is the true and same document executed and approved by us in our Resolution No. _____ dated _____, 197—:

1.

2.

3.

Etc.

B. That such transaction has been thoroughly reviewed and verified is having been entered into in the best interest of the Bank.

(Signature over Printed Name)
Chairman of the Board

(Signature over
Printed Name)
Member

(Signature over
Printed Name)
Member

(Signature over
Printed Name)
Member

(Signature over
Printed Name)
Member

(Signature over
Printed Name)
Member

(Signature over
Printed Name)
Member

Subscribed and sworn to before me this _____ day of _____, 197—, affiants exhibiting their Residence Certificates A, shown below:

	Names	R. C. No.	Place of Issue	Date of Issue
1.
2.
3.
4.
5.
6.
7.
8.

Doc. No. _____

Page No. _____

Book No. _____

Series of 197—.

Notary Public
Until December 31, 19—

BANGKO SENTRAL NG PILIPINAS
(CENTRAL BANK OF THE PHILIPPINES
MAYNILA, PILIPINAS

OFFICE OF THE DEPUTY GOVERNOR
DOMESTIC OPERATIONS SECTOR

MEMORANDUM TO AUTHORIZED AGENT BANKS AND ACCREDITED GOVERN- MENT SECURITIES DEALERS

All authorized agent banks and duly accredited Government Securities dealers are hereby advised to stop the negotiation of the Treasury Bills described as follows:

Series: 267th
Serial No.: 01H to 05H
Denomination: P100,000
Total Face Value: P500,000
Maturity Date: June 30, 1975

It is requested that the Director, Securities Servicing Department of the Central Bank, be notified immediately should the said Treasury Bills be presented for negotiation.

Sgd. R. MARINO CORPUZ
Deputy Governor

May 12, 1975

MGA PAHAYAG NA LEGAL AT OPISYAL

(LEGAL AND OFFICIAL NOTICES)

Hukumang Unang Dulugan

(COURT OF FIRST INSTANCE)

[FIRST PUBLICATION]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAPIZ
ELEVENTH JUDICIAL DISTRICT
BRANCH IV

CADASTRAL CASE No. 5 LRC (GLRO) CADASTRAL
RECORD No. 337 Lots Nos. 1559 & 1560, both
of Capiz Cadastre.—Reconstitution Case No.
1331

SPS. NICOLAS FUENTES AND RAQUEL A. FUENTES,
Petitioners,

NOTICE OF HEARING

To: Atty. Virgilio N. Jiro, Magallanes Street,
Roxas City; Nemesio Fuentes, McKinley St.,
Roxas City; Francisco Dinglasan, Washington
St., Roxas City; and Juan Asis, Mongpong,
Roxas City; and to whom it may concern:

Whereas, a petition has been filed with this Court
under the provisions of Republic Act 26, by Atty.
Virgilio N. Jiro, counsel for the herein petitioners
for the reconstitution of Original Certificates of
Title alleged to have been lost or destroyed on
file in the office of the Register of Deeds of Capiz,
as well as their duplicate copies as a result of
the last world war. The said lots are bounded and
described as follows:

"A parcel of land (Lot No. 1559, of the
cadastral survey of Capiz), situated at Barrio
Mongpong, Municipality of Capiz, Province of
Capiz. Bounded on the S., along line 1-2, by
Lot 1557; and along lines 2-3-4-5, by Lot 1560;
on the W., and N., along lines 5-6-7-8-9-10-11,
by Lot 1561; on the N., along line 11-12, by
Lot 1608; and on the E., along lines 12-13-14-
15-16-1, by Lot 1557, all of Cad-133, Capiz
Cadastre. Containing an area of twenty two
thousand seven hundred fifty three (22,753)
square meters."

"A parcel of land (Lot No. 1560, of the
cadastral survey of Capiz, LRC Cad. Rec. No.
.....), situated in the barrio of Mongpong,
Municipality of Capiz, Province of Capiz.
Bounded on the S., along line 1-2, by Lot 1591;
along line 2-3, by Lot 1590; and along lines
3-4-5, by Lot 1589; on the W., along lines
5-6-7, by Lot 1561; on the N., along lines
7-8-9-10, by Lot 1559; and on the E., along
line 10-1, by Lot 1557, all of Cad-133, Capiz
Cadastre. Containing an area of ten thousand
two hundred thirty-nine (10,239) square met-
ers.",

Therefore, you are hereby given notice that the
said petition has been set for hearing on the 2nd
day of October, 1975, at 8:00 o'clock in the morn-
ing, in the session hall of Branch IV of this Court.
Provincial Capitol in Roxas City, in which date,
time and place you should appear and file your
objections of claims if you have any to the petition.

Witness, the Honorable Fidencio S. Raz, Judge
of this Court, this 4th day of April, 1975.

(Sgd.) ANDRES E. DONATO, JR.

[22, 23]

Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LAGUNA
EIGHTH JUDICIAL DISTRICT
BRANCH I, BIÑAN

GLRO RECORD No. 8375—In Re: Judicial Recon-
stitution of Transfer Certificate of Title No.
(N.A.), Covering Lot No. 1209 of the Santa
Rosa Estate.

ISIDRO ENTENA, Petitioner.

NOTICE

To: The Register of Deeds, Calamba, Laguna;
Atty. Enrique I. Zaño, Rm-416 Paramount
Bldg., Rosario St., Manila; Pablo Carpo, %
David Carpo, Sta. Rosa, Laguna; Olimpia Za-
valla, % Ramon Zavalla Tiongco, Sta. Rosa,
Laguna; The Municipal Mayor, Sta. Rosa,
Laguna; Donata Amarna, Sta. Rosa, Laguna,
and to all whom it may concern:

Whereas, a petition was filed under the provi-
sions of Republic Act No. 26 by the above-named
petitioner for the reconstitution of Transfer Cer-
tificate of Title No. (N.A.) covering Lot No. 1209
of the Sta. Rosa Estate Subdivision in the name
of Mariano Satsatin, married to Remedios Ramirez
of Sta. Rosa, Laguna; that the owner's duplicate
copy as well as the original of the said title were
allegedly destroyed during the past war, covering
a parcel of land, more particularly described as
follows:

"A parcel of land (Lot 1209 of Sta. Rosa
Estate) LRC Rec. No. 8375), situated in the
Municipality of Sta. Rosa, Province of Laguna.
Bounded on the N., along line 1-2, by Road; on
the E., along line 2-3, by Lot 1210; on the
S., along line 3-4, by Lot 1269; and on the
W., along line 4-1, by Lot 1208, all of Sta.

Rosa Estate. x x x; containing an area of seven hundred twenty eight (728) square meters."

Therefore, you are hereby given notice that the petition is set for hearing on September 30, 1975, at 8:30 A.M., before this Court at Biñan, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have thereto.

Witness, the Hon. Herminio A. Avendaño, Judge of said Court, this 11th day of April, 1975 at Biñan, Laguna.

(Sgd.) VIRGILIO T. MARAMBA
[22, 23] Senior Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LAGUNA
EIGHTH JUDICIAL DISTRICT
BRANCH I, BIÑAN

GLRO RECORD No. 8375—In Re: Judicial Reconstitution of Transfer Certificate of Title No. (N.A.), covering Lot No. 1254 of the Sta. Rosa Estate.

MAURA CATINDIG, Petitioner.

NOTICE

To: The Register of Deeds, Calamba, Laguna; Atty. Enrique I. Zaño, Rm-416 Paramount Bldg., Rosario St., Manila; Antero Lazaga % Batis Lazaga, Sta. Rosa, Laguna; The Municipal Mayor, Sta. Rosa, Laguna; Lazaro Baraquio, % Felipa Laserna, Sta. Rosa, Laguna; The Provincial Governor, Sta. Cruz, Laguna; Constanca Manabat, San Antonio, Biñan, Laguna; and to all whom it may concern:

Whereas, a petition was filed under the provisions of Republic Act No. 26 by the above-named petitioner for the reconstitution of Transfer Certificate of Title No. (N.A.) covering Lot No. 1254 of the Sta. Rosa Estate Subdivision in the name of the Legal Heirs of Bernardino de Castro, Sta. Rosa, Laguna; that the owner's duplicate copy as well as the original of the said title were allegedly destroyed during the past war, covering a parcel of land, more particularly described as follows:

"A parcel of land (Lot 1254 of the Sta. Rosa Estate, LRC Record No.), situated in the Barrio of Dila, Municipality of Sta. Rosa, Province of Laguna, Island of Luzon. Bounded on the N., along lines 9-1, by Lot 1253, Sta. Rosa Estate; on the E., along line 1-2, by National Road; on the S., along lines 2-3-4, by Lot 1255, line 4-5, by Lot 1925, lines 5-6-7-8, by Lot 1278; and on the W., along line 8-9, by Lot 1277, all of Sta. Rosa Estate. * * * containing an area of one thousand seven hundred forty-eight (1,748) square meters."

Therefore, you are hereby given notice that the petition is set for hearing on September 30, 1975 at 8:30 A.M., before this Court at Biñan, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have thereto.

Witness, the Hon. Herminio A. Avendaño, Judge of said Court, this 11th day of April, 1975 at Biñan, Laguna.

(Sgd.) VIRGILIO T. MARAMBA
[22, 23] Senior Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF NEGROS
OCCIDENTAL

TWELFTH JUDICIAL DISTRICT
BRANCH VII—SAN CARLOS CITY

CADASTRAL CASE No. (L.R.C.) GLRO RECORD
No. 447 Lot No. 1373, Calatrava—Reconstitution of Title Entry No. 61

ANACORITA APURADO, Petitioner.

NOTICE

To: Pabian Apurado, Guillermo Laguda, Dominador Laguda, Angelina Broce and Juanita Medina, all of San Carlos City, Neg. Occ., Alfonso Fabros and Andres Barnezo of Calatrava, Neg. Occ., and to all whom it may concern:

Whereas, a petition has been filed with this Court, under the provisions of Republic Act No. 26, by petitioner for the reconstitution of the original as well as the owner's duplicate of Original Certificate of Title No. (N.A.), covering Lot No. 1373 of San Carlos Cadastre, situated at Calatrava, Neg. Occ., registered in the names of Hermogenes Apurado and Fermina Gegorcio, described and bounded on the N., by Lot 1372 owned by Guillermo Laguda; on the S., by Lot 1744 of Angelina Broce; on the E., by Lot 1747 of Andres Barnezo and on the W., by Lot 1376-B of Juanita Medina.

Therefore, notice is hereby given that said petition has been set for hearing on September 30, 1975 at 8:30 A.M., before this Court, (Branch VII) in the City of San Carlos, Negros Occidental, on which date, time and place, all persons interested in said lot may appear and state their reasons, if any they have, to the petition.

Witness, the Honorable Jose L. Coscolluela, Jr., Judge of this Court, the 28th day of April, 1975.

(Sgd.) BELINDA A. MENCHACA
[22, 23] Clerk of Court

Komisyon sa Patalaan ng Lupain (LAND REGISTRATION COMMISSION)

[FIRST PUBLICATION]

REPUBLIC OF THE PHILIPPINES COURT OF FIRST INSTANCE OF BATANGAS

Land Registration Case No. N-904
LRC Record No. N-46899

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-2, Batangas City; the Municipal Mayor and the Municipal Council, San Pascual, Batangas; Sixta de Magnaye % Juan Mendoza, Lauro Marquez % Epifanio Caraan, Isabel Ilagan % Eleuterio Ilagan, Sergio Ilagan, Leonila Caraan % Epifanio Caraan, Daniel Cueto, Sulficio Enriquez, Florentino Borromeo, Sixto E. Mendoza, Epifanio Enriquez and Epifanio Ilagan, Sambat, San Pascual, Batangas; and to all whom it may concern:

Whereas, an application has been presented to this Court by Renato G. Enriquez, Sambat, San Pascual, Batangas, to register and confirm his title to the following properties:

1. A parcel of land (Lot 1, plan Psu-213666), situated in the Barrio of Sambat, Municipality of Bauan, Province of Batangas. Bounded on the N., by property of Sixta de Magnaye; on the SE., by the Provincial Road; on the S., by property of Lauro Marquez; and on the W., by property of Isabel Ilagan. Point "1" is N. 18 deg. 46 min. E., 709.84 meters from BLLM 2, Bauan, Batangas. Area seven hundred ninety-six (796) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-213666), situated in the Barrio of Sambat, Municipality of Bauan, Province of Batangas. Bounded on the N., by property of Lauro Marquez; on the SE., by the Provincial Road; on the S., by property of Sergio Ilagan; and on the W., by properties of Leonila Caraan and Isabel Ilagan. Point "1" is N. 18 deg. 40 min. E., 697.75 meters from BLLM 2, Bauan, Batangas. Area four hundred twenty-five (425) square meters, more or less.

3. A parcel of land (Lot 1, plan Psu-253603), situated in the Barrio of Sambat, Municipality of Bauan (now) San Pascual, Province of Batangas. Bounded on the N., and S. by properties of Renato

Enriquez; on the SE., by the Provincial Road; and on the W., by property of Isabel Ilagan. Point "1" is N. 18 deg. 46 min. E., 709.84 meters from BLLM 1, Bauan, Batangas. Area four hundred eighty-seven (487) square meters, more or less.

4. A parcel of land (Lot 2, plan Psu-253603), situated in the Barrio of Sambat, Municipality of Bauan (now) San Pascual, Province of Batangas. Bounded on the N., by property of Renato Enriquez on the SE., by the Provincial Road; on the S., by property of Daniel Cueto; and on the W., by property of Leonila Caraan. Point "1" is N. 18 deg. 32 min. E., 683.97 meters from BLLM 1, Bauan, Batangas. Area ninety-nine (99) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Batangas, at its session to be held in the City of Batangas, Philippines, on the 22nd day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Eduardo R. Bengson, Judge Branch I, of said Court, the 4th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

[22, 23]

REPUBLIC OF THE PHILIPPINES COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-170-V-74
LRC Record No. N-46486

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the

Municipal Council, Martin Darilag, Paz de la Cruz, Simeona Avendano, Paulina Avendano, Roberto Agustin, Rufina Aguinaldo, Heirs of Agapito Lorenzo, Josefina Capalad, Feliciana Roque, Felipe Raymundo, Gualberto Raymundo, Nazario de la Cruz, Heirs of Felimon Marquez, Victorio Mendoza, Heirs of Laureano Marquez, Heirs of Jose Bartolome, Pelagio Roque, Domingo Aguinaldo, David Alcantara, Pio Raymundo, Heirs of Severino Contreras, Bonifacio Avendano, Victor Alcantara, Nazario dela Cruz, Obando, Bulacan; Alfonso Jimenez, Fidel San Luis, Eugenio Agustin, Anacleto Avendaño, Agustin Anastacio, Josefa Capalad, Roberto Agustin, San Pascual, Obando, Bulacan; the Municipal Mayor, the Municipal Council, Valenzuela (Polo), Bulacan; Venancio Capalad, Lawa, Obando, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Asuncion Avendano, Rosario Domingo, Diega Avendano, San Pascual, Obando, Bulacan, assisted by Atty. Simeon D. Canlas, Lawa, Obando, Bulacan, to register and confirm their title to the following properties:

1. A parcel of land (Lot 1270, Cad. 338, Polo Cadastre, plan Ap-03-000823), situated in the Barrio of Bilog, Municipality of Polo (Valenzuela), Province of Bulacan. Bounded on the NE., by property of Victorio Mendoza, et al.; on the SE., by property of the Heirs of Felimon Marquez; on the SW., by property of Pelagio Roque, et al.; and on the NW., by property of the Heirs of Felimon Marquez. Point "1" is N. 46 deg. 16 min. W., 1,714.73 meters from BLLM 1, Cad. 338, Polo Cadastre. Area one thousand one hundred nine (1,109) square meters, more or less.

2. A parcel of land (Lot 583, Cad. 302-D, Obando Cadastre, plan Ap-03-000452), situated in the Barrio of Lawa, Municipality of Obando, Province of Bulacan. Bounded on the NE., by Lot 4285; on the SE., by property of Paz M. dela Cruz; on the SW., by property of Paulina Avendaño; and on the NW., by property of Martin Darilag. Point "1" is N. 23 deg. 18 min. W., 2,011.82 meters from BLLM 1, Cad. 302-D, Obando Cadastre. Area nine hundred fifty-two (952) square meters, more or less.

3. A parcel of land (Lot 2793, Cad. 302-D, Obando Cadastre, plan Ap-03-000838), with the building and improvements thereon, situated in the Barrio of Quibadia, Municipality of Obando, Province of Bulacan. Bounded on the NE., by properties of Domingo Aguinaldo and Pio Raymundo; on the SE., by property of the Heirs of Severino Contreras; on the SW., by a creek; and on the NW., by property of David Alcantara. Point "1" is N. 40 deg. 50 min. W., 1,317.55 meters from BLLM 1, Cad. 302-D, Obando Cadastre. Area two hundred fifty-five (255) square meters, more or less.

4. A parcel of land (Lot 810, Obando Cadastre, plan Ap-13260), situated in the Barrio of Quibadia, Municipality of Obando, Province of Bulacan. Bounded on the NE., by properties of Rufina Aguinaldo, et al. and Heirs of Agapito Lorenzo; on the SE., by property of Josefina Capalad; on the SW., by properties of Feliciana Roque, Felipe Raymundo, Gualberto Raymundo and Asuncion Avendaño; and on the NW., by property of Roberto Agustin. Point "1" is N. 30 deg. 25 min. W., 1,143.71 meters from BLLM 1, Obando Cadastre. Area two thousand eight hundred fifty-nine (2,859) square meters, more or less.

5. A parcel of land (Lot 811, Cad. 302-D, Obando Cadastre, plan Ap-03-000453), situated in the Barrio of Quibadia, Municipality of Obando, Province of Bulacan. Bounded on the NE., by property of Bonifacio Avendano; on the SE., by property of Gualberto Raymundo; on the SW., by a creek; and on the NW., by property of Nazario dela Cruz. Point "1" is N. 30 deg. 25 min. W., 1,143.71 meters from BLLM 1, Cad. 302-D, Obando Cadastre. Area six hundred eighteen (618) square meters, more or less.

6. A parcel of land (Lot 815, Cad. 302-D, Obando Cadastre, plan Ap-03-000453), situated in the Barrio of Quibadia, Municipality of Obando, Province of Bulacan. Bounded on the NE., by a creek; on the SE., by property of Gualberto Raymundo; on the SW., by Lot 816; and on the NW., by properties of Victor Alcantara and Nazario dela Cruz. Point "1" is N. 36 deg. 19 min. W., 1,154.54 meters from BLLM 1, Cad. 302-D, Obando Cadastre. Area four hundred sixty-six (466) square meters, more or less.

7. A parcel of land (Lot 816, Cad. 302-D, Obando Cadastre, plan Ap-03-000453), situated in the Barrio of Quibadia, Municipality of Obando, Province of Bulacan. Bounded on the NE., by Lot 815; on the SE., by property of Gualberto Raymundo; on the SW., by a Provincial Road; and on the NW., by property of Victor Alcantara. Point "1" is N. 36 deg. 19 min. W., 1,154.54 meters from BLLM 1, Cad. 302-D, Obando Cadastre. Area thirty seven (37) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Valenzuela, Province of Bulacan, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Eduardo P. Caguioa, Judge of said Court, the 11th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-3317
LRC Record No. N-46700

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor and the Municipal Council, Marilao, Bulacan; Serapio Mendoza, the Heirs of Maximo Angeles, Prudencio de la Pasion, Agapito Hernandez, Marcelino Bonifacio, Emiliano Bonifacio and Pantaleon Francisco, Nagbalon, Marilao, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Rosario Bonifacio, Nagbalon, Marilao, Bulacan, assisted by Atty. Felizardo S. M. de Guzman, 6th Floor, Shurdut Bldg., Muralla, Manila, to register and confirm her title to the following property:

A parcel of land (Lot 485, Cad-336, Marilao Cadastre plan Ap-24950) situated in the Barrio of Nagbalon, Municipality of Marilao, Province of Bulacan. Bounded on the NE. and NW., by Roads; on the SE., by property of Prudencio dela Pasion; and on the SW., by properties of the Heirs of Maximo Angeles and Serapio Mendoza. Point "1" is S. 31 deg. 51 min. E., 629.60 meters from BLLM 1, Cad. 336, Marilao Cadastre. Area four hundred four (404) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Malolos, Province of Bulacan, Philippines, on the 9th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from

contesting said application or any decree entered thereon.

Witness, the Hon. Jesus R. De Vega, Judge of said Court, the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-184-V-75
LRC Record No. N-46940

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Rita Tobias, Exequiel Abad, Leopoldo Exaltacion, Ireneo Decilio, Gasak, Meycauayan, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Benjamin T. Aranigo, Gasak, Meycauayan, Bulacan; assisted by Atty. Mamerto A. Abano, Meycauayan, Bulacan, to register and confirm his title to the following property:

A parcel of land (plan Psu-166646), with the building and improvements thereon, situated in the Barrio of Gasak, Municipality of Meycauayan, Province of Bulacan. Bounded on the NE., by a Callejon; on the SE., by property of Leopoldo Exaltacion; on the SW., by property of Ireneo Decilio; and on the NW., by property of Exequiel Abad. Point "1" is S. 43 deg. 47 min. W., 141.78 meters from BLLM 1, Meycauayan, Bulacan. Area one hundred twenty-nine (129) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held at Branch VIII, Municipality of Valenzuela, Province of Bulacan, Philippines, on the 23rd day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your

default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Eduardo P. Caguioa, Judge of said Court, the 15th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: **GREGORIO BILOG, JR.**
Commissioner of Land Registration
By: **GREGORIO C. SEMBRANO**
Acting Chief, Docket Division
[22, 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAMARINES
SUR

Land Registration Case No. N-1537
LRC Record No. N-46896

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the District Land Office No. V-2, Naga City; the Highway District Engineer, Baras, Canaman, Camarines Sur; the Municipal Mayor, the Municipal Council, Luis Perez, Martin Baduya and Augusto Albao, Milaor, Camarines Sur; Maria Cabit and Gregorio Felin, Capucnasan, Milaor, Camarines Sur; and Elena Carullo, No. 9 Malungay, Project 7, Quezon City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Eustaquio R. Manalo, No. 9, Malungay, Project 7, Quezon City, thru Atty. Pedro D. Servano, Bello Building, Naga City, to register and confirm his title to the following property:

A parcel of land (Lot 573 Milaor Public Land Subdivision, plan As-05-000003), with the improvements thereon, situated in the Barrio of Capucnasan, Municipality of Milaor, Province of Camarines Sur. Bounded on the N., NE. and NW., by a River; on the SE. and S., by a Road; on the W., by Lot 1361. Point "1" is N. 75° 47 min. E., 6,268.26 meters from BLLM 1, PIs 400, Milaor, Camarines Sur. Area twenty thousand four hundred ninety-nine (20,499) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Camarines Sur, at its session to be held in the City of Naga, Philippines, on

the 12th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Rafael dela Cruz, Judge of said Court, the 19th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: **GREGORIO BILOG, JR.**
Commissioner of Land Registration
By: **GREGORIO C. SEMBRANO**
Acting Chief, Docket Division
[22, 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. N-1152
LRC Record No. N-46813

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City; the District Land Office No. IV-4, Rosario, Cavite; the Municipal Mayor, the Municipal Council, and Teodoro Landas, Bacoar, Cavite; Francisco Morales, Gregoria San Jose, Leopoldo Guinto, Rufino Cuenca, Juan Cuenca, Niog, Bacoar, Cavite; Genoveva Mendoza, Panapaan, Bacoar, Cavite; Julian Reyes, Malicsi, Bacoar, Cavite; Leopoldo Rubio, Digman, Bacoar, Cavite; Mariano Sanchez, Caingin, Bacoar, Cavite; and A. U. Valencia Co., Inc., Antonino Bldg., Manila; and to all whom it may concern:

Whereas, an application has been presented to this Court by Pablo M. Cuevas, Panapaan, Bacoar, Cavite, thru Atty. Bayani L. Bernardo, 38 San Luis Building, Kalaw-Orosa, Sts. Ermita, Manila, to register and confirm his title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Barrio of Panapaan, Municipality of Bacoar, Province of Cavite. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-252548). Bounded on the NE. by properties of Teodoro

Landas and Francisco Morales; on the SE. by property of Leopoldo Rubio; on the SW. by property of Mariano Sanchez; and on the NW. by a Barrio Road and Lot 2. Point "1" is N. 71 deg. 09 min. E., 231.67 meters from BLBM 21, Panapaan, Bacoar. Area one thousand twenty-six (1,026) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-252548). Bounded on the NE. by property of Francisco Morales; on the SE. by a Barrio Road; Lot 1 and property of Mariano Sanchez; on the SW. by property of Gregoria San Jose; and on the W. and NW. by property of A. U. Valencia and Co., Inc. Point "1" is N. 62 deg. 52 min. E., 213.80 meters from BLBM 21, Panapan, Bacoar. Area four hundred sixty-six (466) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held in the Municipality of Bacoar, Province of Cavite, Philippines, on the 29th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ricardo P. Tensuan, Judge of said Court, the 11th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 20th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. TG-247
LRC Record No. N-46919

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City; the District Land Office No. IV-4, Rosario, Cavite; the City Mayor, the City Council, the City Fiscal, the City Treasurer, the City

Engineer, Primitivo Mendoza, Mariano Mendoza, Soledad Gamo, Roberto Tolentino, Miguel Gamo, Soledad de Vino, Magdalena Magsino, Tagaytay City; Antonio Cabral, Barrio Sungay, Tagaytay City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Quirica T. Cabral, Barrio Sungay, Tagaytay City, to register and confirm her title to the following properties:

Two (2) parcels of land, situated in the Barrio of Sungay, City of Tagaytay. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 4290, Tagaytay Cadastre, plan As-231). Bounded on the NE., by property of Roberto Tolentino; on the SE., by the National Road; on the SW., by property of Soledad Gamo; and on the NW., by property of Mariano Mendoza. Point "1" is N. 70 deg. 44 min. E., 4,278.20 meters from BLLM 1, Tagaytay Cadastre. Area seven hundred eighty six (786) square meters, more or less.

2. A parcel of land (Lot 4295, Tagaytay Cadastre, plan As-231). Bounded on the NE., by property of Mariano Mendoza; on the SE., by properties of Soledad Gamo and Primitivo Mendoza; on the SW., by property of the City Government of Tagaytay; and on the NW., by property of Primitivo Mendoza. Point "1" is N. 70 deg. 16 min. E., 4,245.70 meters from BLLM 1, Tagaytay Cadastre. Area one thousand three hundred forty-five (1,345) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held in the City of Tagaytay, Philippines, on the 15th day of September, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Alfredo B. Concepcion, Judge of said Court, the 8th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. N-1163
LRC Record No. N-46922

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, the Director, Bureau of Education, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City; the District Land Office No. IV-4, Rosario, Cavite; the Municipal Mayor, and the Municipal Council, Bacoor, Cavite; Loreto Realica and Purita G. Alvindia, Salinas, Bacoor, Cavite; the Manager, Pan American Insurance Agencies Inc. Suite 402, Martinez Building, 378 Dasmariñas St., Manila; and to all whom it may concern:

Whereas, an application has been presented to this Court by Pacita San Diego, Salinas, Bacoor, Cavite, assisted by Allas Leynes & Associates, by Atty. Cipriano S. Allas, Suite 402 Martinez Building, 378 Dasmariñas St., Manila, to register and confirm her title to the following property:

A parcel of land (Lot 203 Psu-164199 (Sheet 15), plan Sw-04-000103), with the improvements thereon, situated in the Barrio of Salinas, Municipality of Pacoor, Province of Cavite. Bounded on the NE., by Lot 208; on the SE., by the School Site; on the SW., by a Road; and on the NW., by Lot 204. Point "1" is S. 13 deg. 32 min. W., 2,183.35 meters from BLLM 1, Bacoor, Cavite. Area six hundred ninety-four (694) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held in the Municipality of Bacoor, Province of Cavite, Philippines, on the 8th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ricardo P. Tensuan, Judge of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division
[22, 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF ILOILO

Land Registration Case No. N-761
LRC Record No. N-46909

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. VI-I, Iloilo City; the Municipal Mayor, the Municipal Council, Ajuy, Iloilo; Lourdes Maravilla, Dioscoro Posadas, Jesus Lindero, Mansueto Durban, Adolfo Doronilla, and Chenny Gonzales, Gubaton, Ajuy, Iloilo; and to all whom it may concern:

Whereas, an application has been presented to this Court by Victoria Parania Vda. de Sonalan, Commission Civil, Jaro, Iloilo City, thru Atty. Nicolas P. Sonalan, Magdalena Building, J.M. Basa, Iloilo City, to register and confirm her title to the following properties:

Four (4) parcels of land situated in the Barrio of Gubaton, Municipality of Ajuy, Province of Iloilo. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-177721). Bounded on the NE., by property of Lourdes Maravilla; on the E., by property of Dioscoro Posadas; and on the SW., by the Gubaton Creek. Point "1" is S. 74 deg. 20 min. W., 6,541.43 meters from BLLM 2, Ajuy, Iloilo. Area forty five thousand nine hundred twenty-six (45,926) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-177721). Bounded on the N., and NE., by Gubaton Creek; on the E., by property of Adolfo Doronilla; on the SE., by property of Jesus Lindero vs. Adolfo Doronilla; and on the NW., by Lot 4 and the Gubaton Creek. Point "1" is S. 69 deg. 33 min. W., 6,534.29 meters from BLLM 2, Ajuy, Iloilo. Area seventy three thousand four hundred seventeen (73,417) square meters, more or less.

3. A parcel of land (Lot 3, plan Psu-177721). Bounded on the NE., E., and SE., by the Gubaton

Creek; on the SW., by property of Jesus Lindero; and on the NW., by property of Mansueto Durban (before) Adolfo Doronilla (now). Point "1" is S. 72 deg. 46 min. W., 6,923.86 meters from BLLM 2, Ajuy, Iloilo. Area forty seven thousand five hundred ninety-six (47,596) square meters, more or less.

4. A parcel of land (Lot 4, plan Psu-177721.) Bounded on the SE., by Lot 2; on the SW., by property of Jesus Lindero; and on the NW., by the Gubaton Creek. Point "1" is S. 71 deg. 26 min. W., 6,840.33 meters from BLLM 2, Ajuy, Iloilo. Area five thousand three hundred ninety-seven (5,397) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Iloilo, at its session to be held at the First Branch, Provincial Capitol Building, City of Iloilo, Philippines, on the 16th day of September 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Sancho Y. Inserto, Judge of said Court, the 24th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest:
 GREGORIO BILOG, JR.
 Commissioner of Land Registration
 By: GREGORIO C. SEMBRANO
 Acting Chief, Docket Division
 [22, 23]

REPUBLIC OF THE PHILIPPINES
 COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. N-1514
 LRC Record No. N-46870

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. I-1, the Municipal Mayor, the Municipal Council, San Fernando, La Union; Adriana Dumaguin Vda. de Lota, Gaudencio Lacsamana, Cabaroan, San Fernando, La Union; Venancia Valdez, Raymunda Valdez, Antonia R. Duclayan, Francisco Duclayan, Santiago Norte, San Fernando, La Union; Loreto P. Estrada, Golden Homes Sub-

division, Catbangan, San Fernando, La Union; Leocadia C. Flores, Santiago Sur, San Fernando, La Union; and to all whom it may concern:

Whereas, an application has been presented to this Court by Quintin Lete Balcita, Jr., Golden Homes Subdivision, Catbangan, San Fernando, La Union, thru Atty. Pedro O. Arciaga, San Fernando, La Union, to register and confirm his title to the following properties:

Two (2) parcels of land, situated in the Barrio of Santiago Norte/Sur, Municipality of San Fernando, Province of La Union. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-1-000643). Bounded on the NE. by the Provincial Road; on the E. by property of Raymunda Valdez; on the S. by property of Gaudencio Lacsamana; and on the W. by property of Leocadia G. Flores. Point "1" is S. 87 deg. 14 min. E., 1,704.97 meters from BLLM 1, San Fernando, La Union. Area three hundred fifty-three (353) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-1-000643). Bounded on the N. by property of Antonia R. Duclayan; on the E. by properties of Venancia Valdez, et al. and Raymunda Valdez; on the SW. by the Provincial Road; and on the W. by the Municipal Road. Point "1" is S. 87 deg. 46 min. E., 1,702.12 meters from BLLM 1, San Fernando, La Union. Area three thousand one hundred fifty-seven (3,157) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of San Fernando, Province of La Union, Philippines, on the 22nd day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel A. Daquigan, Judge of said Court, the 25th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th of May, 1975.

Attest:
 GREGORIO BILOG, JR.
 Commissioner of Land Registration
 By: GREGORIO G. SEMBRANO
 Acting Chief, Docket Division
 [22, 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. N-1510
LRC Record No. N-46953

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. I-1, the Municipal Mayor, the Municipal Council, San Fernando, La Union; Roman Ramos, Jose Galvez, Fermin Martinez, Mauro Dumaguin, Mariano Lubrin, Cesaria Galvez, Juan Caccam, the Heirs of Andres Borromeo and Casimira Ochoco, Santiago Sur, San Fernando, La Union, Tomas Cloma, 2115 Leveriza St., Pasay City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Victoria Galvez Cloma, 2115 Leveriza St., Pasay City thru Ailes, Taganas and Associates, by Atty. Orlando O. Ailes, 419 David St., Manila to register and confirm her title to the following property:

A parcel of land (plan Psu-200708), with the improvements thereon, situated in the Barrio of Santiago Sur, Municipality of San Fernando, Province of La Union. Bounded on the N., by properties of Cesaria Galvez and Juan Caccam; on the NE., by properties of Juan Caccam and Mariano Lubrin; on the SE., by properties of Roman Ramos, and Juan Caccam, Jose Galvez and Mauro Dumaguin; on the SW., by properties of Mauro Dumaguin and Fermin Martinez; on the W., by property of Jose Galvez; and on the NW., by property of Mauro Dumaguin. Point "1" is S. 72 deg. 51 min. E., 1,768.03 meters from BLLM 1, San Fernando, La Union. Area fifty three thousand nine hundred fifty-eight (53,958) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of San Fernando, Province of La Union, Philippines, on the 3rd day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Angel A. Daquigan, Judge of said Court, the 10th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th of May, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO G. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
CITY COURT OF MANDAUE

Land Registration Case No. N-59
LRC Record No. N-46928

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. VII-1, Cebu City; the City Mayor, the City Council, the City Fiscal, the City Treasurer, the City Engineer, CIM Mission Seminars, Inc. c/o Fr. Andres Nowe Inocencio Cuevas, Adriano Soco, Felipe Perez and Rafael Tickling, Mandaue City; and Placido Dueñas, Dalaguete, Cebu; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Spouses Orencio Cortez and Gloria J. Cortez, Mandaue City, thru Atty. Michael Y. Mayol, Cebu City; to register and confirm their title to the following property:

A parcel of land (Lot 15, plan Psu-93692), with the building and improvements thereon, situated in the Barrio of Estancia, City of Mandaue. Bounded on the E., by Lot 27; on the S., by Lots 11 and 12; on the SW., by Lot 8; and on the NW., by Lots 16 and 30. Point "1" is N. 0 deg. 40 min. E., 1,492.31 meters from BLLM 1, Mandaue City. Area seven thousand ninety-three (7,093) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Mandaue, at its session to be held at Branch III, 2nd Floor, Mandaue Presidencia, City of Mandaue, Philippines, on the 25th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application

will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Conrado D. Seno, Presiding Judge of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF PAMPANGA

Land Registration Case No. N-1226
LRC Record No. N-46650

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-1, San Fernando, Pampanga; the Municipal Mayor, the Municipal Council, Heirs of Gregorio Siñgian, Heirs of Martin Mercado, Heirs of Gregorio Pineda, Mariano Naguit and Ciriaco Tongol Mercado, Minalin, Pampanga; Anselmo Magat, Cesaria Deang, Leonardo Deang, Bienvenido Deang, Heirs of Baldomera Pineda, Juana Mercado, Pedro Magat, Ludivina David, Arceli Valencia, Aurea C. Vda de Deang, Eduardo Deang, Rustico Deang, Lydia Deang, Virgilio Deang, Sta. Rita, Minalin, Pampanga; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses Antonio de la Cruz and Consolacion Deang, Apalit, Pampanga, to register and confirm their title to the following properties:

Two (2) parcels of land with the improvements thereon, situated in the Barrio of Sta. Rita, Municipality of Minalin, Province of Pampanga. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 869, Cad. 379-D, Minalin Cadastre, plan Ap-03-000743). Bounded on the NE. by Lot 870; on the SE. by the Municipal Road; on the SW. by properties of Ludivina David and Arceli Valencia; and on the NW. by

the Provincial Road and property of Juana Mercado. Point "1" is N. 16 deg. 40 min. E., 992.54 meters from BLLM 1, Cad. 379-D, Minalin Cadastre. Area eight hundred eighty-eight (888) square meters, more or less.

2. A parcel of land (Lot 870, Cad. 379-D, Minalin Cadastre, plan Ap-03-000743). Bounded on the NE. by property of Pedro Magat, et al.; on the SE. by the Provincial Road; on the SW. by Lot 869; and on the NW. by property of Juana Mercado. Point "1" is N. 18 deg. 32 min. E., 1,002.31 meters from BLLM 1, Cad. 379-D, Minalin Cadastre. Area three hundred eleven (311) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held at Branch VI, Municipality of San Fernando, Province of Pampanga, Philippines, on the 6th day of October, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Isaac S. Puno, Jr., Presiding Judge of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF PAMPANGA

Land Registration Case No. N-5
LRC Record No. N-46859

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-1, San Fernando, Pampanga; the Municipal Mayor, the Municipal Council, and Arsenio David, Guagua, Pampanga; the Heirs of Maximiano dela Cruz, the Heirs of Maria dela Cruz, Arsenio Puno, Paciencia Carreon and the Heirs of Marcos dela Cruz, San Nico-

las, 2.0, Guagua, Pampanga; and to all whom it may concern:

Whereas, an application has been presented to this Court, by the Spouses Julian Bituin and Fidela Cayan, San Nicolas, 2.0, Betis, Guagua, Pampanga, to register and confirm their title to the following properties:

A parcel of land (Lot 5608, Cad-376-D, Guagua Cadastre, plan As-03-000196), situated in the Barrio of San Nicolas II, Municipality of Guagua, Province of Pampanga. Bounded on the NE. by property of Arsenio David; on the S. by the Betis River; on the SW. by Lot 5607; and on the NW. by the Provincial Road. Point "1" is N. 51 deg. 34 min. E., 1,736.69 meters from BLIM 1, Cad-376-D, Guagua Cadastre. Area three thousand seven hundred twenty-three (3,723) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held in the Gusali Katarungan Cervantes Subdivision, Municipality of Guagua, Province of Pampanga, Philippines, on the 22nd day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felipe V. Buencamino, Presiding Judge of said Court, Branch II, the 17th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 20th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
 By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division
 [22, 23]

REPUBLIC OF THE PHILIPPINES
 COURT OF FIRST INSTANCE OF PAMPANGA

Cadastral Case No. N-7
 LRC CAD Record No. N-619

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Public Works, Manila; the Hon. Secretary, Department of Agrarian Reform, Diliman, Quezon City; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Highway District Engineer, the Public Works District Engineer, the District Land Office No. III-I, San Fernando, Pampanga; the Municipal Mayor, the Municipal Council,

the Roman Catholic Church, Emilio Bustos,

Carpio Aguirre, Margarita Agustin, Heirs of Valdez L. Angeles, Leodegario Valdez Angeles, Adela S. Anicete, Monico S. Anicete, Jose S. Anicete, Rosa Anicete, Rosendo S. Anicete, Eleuterio Anicete, Jose Balingit, Heirs of Santiago Baluyot, Bartolome Baluyot, Raymundo Bantug, Heirs of Guillermo Bautista, Cecilia Bernarte, Cecilio Bernarte, Simeon Bonifacio, Adelaida Bustos, Heirs of Braulio Bustos, Heirs of David Bustos, Domingo Bustos, Eleuterio Bustos, Marcelino Bustos, Heirs of Mariano Bustos, Raymundo Cabrera, Valentin Cabrera, Agapito Canlas, Emiliano Cano,

Marcelino Cano and Wife, Norberto Cano, Adriano Caparas, Simon Caparas, Dalmacio Carillo, Catalina Casas, Heirs of Buenaventura Castillo, Urbano Castillo, Benito Castro, Natalio Castro, Romulo Castro, Victor Cayan, Augusto Cruz, Pascual dela Cruz, Venerando Cruz, Aguida Cunanan, Francisco Cunanan, Herminigilda Cunanan, Socorro M. dela Rosa, Silvino Dizon, Bienvenido Dungo, Policarpio Enriquez, Orlando Flores, Domingo Garcia, Gloria Garcia, Irineo D. Garcia, Juana Garcia, Heirs of Segundo Garcia, Maximo Garcia, Eriberto Gomez, Severino Gomez, E. Cano, Valentin Gomez, Florencia de Gonzales,

Eustiquio Guese, Aguida Guevarra, Juan Guinto, Esteban Gutierrez, Eusebio Gutierrez, Jose Gutierrez, Felix Hernandez, Felix Hernandez, Sr., Victorino Infante, Andrea Isip, Domingo Isip, Heirs of Toribia Isip, Crispulo Lacap, Celia Vda. de Lagman, Domingo Lagman, Expectacion Lagman, Juan Lagman, Heirs of Manuel Lagman, Oscar Lagman, Juliana Laquindanum, Iswaldo Laxina, Eladio Leano, Estrella Lilles, Feliza Lilles, Heirs of Sixto Lintag, Zosimo Lopez, Heirs of Aniceto Lobo, Lourdes Lumung, Venancio Macalino, Cenon Macaspac, Eleuterio de Madrid, Gica Vda. de Madrid,

Gaudencio Magat, Leocadio Magat, Margarita Magat, Dominador Mallari, Domingo L. Mallari, Feliciano Mallari, Felix Mallari, Emilio Mallari, Honorio Mallari, Isabelo Mallari, Juliana Mallari, Lorenzo Mallari, Manuel Mallari, Maria Mallari, Norberto Paras Mallari, Policarpio Mallari, Priscilla Mallari, Segundo Mallari, Sotera Mallari, M. Yanga, T. Mallari, Valentin Mallari, Heirs of Telesforo Manalang, Manuel Manalili, Agapito Manansala, Bando Mandap, Delfin Manuel, Luciano Marcial, H. Navarro, C. Marcos, Victorino Marilla, Manuel Mendoza, Domingo Meneses, Jesus Mercado,

Paulino de Mesa, Cristobal Musni, F. Lilles, Heirs of M. Musni, Gloria Navarro, Mariano Nicdao, Demetrio Olegario, Leon Pacia, Rainerio Paras, Roman Paras, Eufracio Quimbao, Jose P. Quimbao, Pantina Quimbao, Alejandro Quintu, Juan Ramos, Juan Reyes, Heirs of

Leoncio Reyes, Sofronio Roman, Josefa Vda. de Salanga, Eleuteria Magat Y. Salonga, Jose Salonga, Victoriano Salonga, Alejandro Sangil, Bernabe Santos, Proceso Santos, Marcela Solis, Marcela A. Solis, Lino Sunga, Simplicio Sunga, Venancio Sunga, Filimeno Tejelan, Bantug, Gregorio Tulod, Aurea A. Viray, Feliciano Viray,

Francisco Viray, Gertrudes Yabut, Nicolas Yamot, Monico S. Anicete, Aurea A. Viray, Priscilla Mallari, Simeon Bonifacio, Eufracio Quiambao, Abelardo U. Guinto, Hermogenes Lobo, Ricardo Garcia, Macabebe, Pampanga; Fortunato Agustin, Emilio Anicete, Juan Anicete, Benito Antonio, Martin Antonio, Heirs of Santiago Antonio, Vicente Antonio, Ricardo Balingit, Dionisio Baluyut, Lourdes Baluyut, Nicolas Bernabe, Isaac Bonifacio, Blas Bungay, Valentino Bulos, Agueda Bungay, Macaria Bungay, Pedro Bungay, Tito Bungay, Herminigildo Cabrera, Marcelo Cabrera, Maximo Cabrera, Aguedo Carillo, E. Viray, N. Carillo,

Benito Castro, Cirilo Castro, Dionisio Castro, Domingo Castro, Magdalena Castro, Cosme Centeno, Heirs of Juana Centeno, Dominador Cruz, Heirs of Juan dela Cruz, Dimas Doria, Lauriano Doria, Consolacion Fajardo, Felina Fajardo, Epifanio Cruz, Proceso de los Santos, Pacifico Quiambao, Manuel Reyes, Mariano Reyes, Domingo Garcia, Pepito Garcia, Benito Gomez, Adelaida Guevarra, Arcadio Guevarra, Leling Guevarra, Roman Guevarra, Cesario Guinto, Dicgo Guinto, Esteban Guinto, Fernando Guinto, Heirs of Fernando Guinto, Maxima Guinto, Heirs of Nasario Guinto, Jose Gutierrez,

Miguel Gutierrez, Heirs of Rufina Gutierrez, Victor Gutierrez, Anicia Ibay, Arcadio Ibay, Atanacia Ibay, Felisa Vda. de Ibay, Pedro Ibay, Petronila Ibay, Heirs of Dalmacio Isip, Eugenio Isip, Felomena Vda. de Isip, Heirs of Ignacio Isip, Marcelo Isip, Mariano Isip, Pedro Isip, Rosendo Isip, Tomas Isip, Jose Puno, Numeriano Lacanilao, Estanislao Lacap, Pablo Lacap, Atanacia Lagman, Felipe Laquindanum, Herminia Laquindanum, Juliana Laquindanum, Rafael Laquindanum, Ignacio Laxamana, Ponciano Lobo, Alejo Magat, Heirs of Calixto Magat, Esperanza Magat, A. Quiambao, F. Magat, Florentina Magat,

Gaudencio Magat, Heirs of Leoncio Magat, Manuel Magat, Teodora Magat, Atanacio Mallari, Avelino Mallari, Benita Mallari, Benito Mallari, Emiliano Mallari, Encarnacion Mallari, Encarnacion Vda. de Mallari, Heirs of Feliciano Mallari, Felix Mallari, Jose Mallari, Monica Mallari, Ponciano Mallari, Tomasa Mallari, Victorio Mallari, Cesario Manabat, Cirilo Manalang, Melencio Manalang, Apolonio Manansala, Candido Manansala, Domingo Ma-

nansala, Ernesto Manansala, Feliciano Manansala, Felicisimo Manansala, Jose Manansala, Heirs of Mateo Manansala,

Maximiano Manansala, Pablo Manansala, Heirs of Ramon Manansala, Santiago Manansala, Tiburcio Maningat, Zoilo Maniulit, Fernando Manlapaz, Francisco Manlapaz, Heirs of Vicente Manlapaz, Domingo Meneses, Francisco Meneses, Heirs of Francisco Meneses, Pedro Meneses, Antonina Musni, Bienvenido Musni, Blandina Musni, Bonifacio Musni, Celestino Musni, Heirs of Leon Musni, Heirs of Maria Musni, Heirs of Maxima Musni, Simplicio Musni, Heirs of Vicente Musni, Lorianio Nucum, Felomena Vda. de Nunga, Ciriaco Ocampo, Fortunato Ocampo, Isidro Ocampo, Melanio Ocampo, A. Ocampo, Abraham Parungao,

Elpidio Parungao, N. Parungao, J. Mallari, R. Parungao, Galigorio Pineda, Alejandro Puno, Servidio Reyes, Teodoro Reyes, Benito Salonga, Hermogenes Salonga, Victoriano Salonga, Andres Santos, Luis Santos, Melquiades Santos, Nicanor Santos, Venancio Silva, Abad Sonza, Jesus Sonza, Pedrito Sonza, Corazon, Sunga, Fernando Sunga, Rafael Sunga, Emilia Vda de Tolentino, Lazaro Tolentino, Heirs of Leon Tolentino, Alejandro Viray, Catalina Viray, Angel Viray, Sotero Yabut, Fabiana Yambao, T. Mallari, M. Yanga, Heirs of Remigio Yanga, Juan Yumul, Maria Yumul, Heirs of Ramon Yumul,

Heirs of Severino Yumul, Vicente Yumul, Santa Maria, Macabebe, Pampanga; Mateo Agustin, Ciriaco Anicete, Bernardino Baluyut, Ines Baluyut, Heirs of Pedro Baluyut, Arsenio Banting, Nicolasa Bonifacio, Egmidio Bungay, Felix Bungay, Alfredo Cabana, Cirilo Castro, Crispulo Cortez, Emerenciana Cunanan, Mauricio Cunanan, Pablo Datu, Cesario Ducut, Alejandro Flores, Conrado Flores, Bernardo Flores, Francisco Flores, Jose Flores, Roberto Flores, Emilio Garcia, Juliana Garcia, Ignacio Guinto, F. Ibay, E. Hernandez, Anatalia Vda. de Ibay, Apolonio Ibay,

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Filomena de Ocampo, Rafael Ocampo, Rosenda Ocampo, Brigida Banzali Pacia, Magdalena Palad, Valentin Pacia, Macario Cunanan, Heirs of Tomas Pacia, Leonardo Pangilinan, Silvino Pangilinan, Heirs of Bruno Paras, Heirs of Antonina Paras, Heirs of Mariano Parungao, Norberto Paras, Nicolas Pineda, Jose Perez, Irene Palintan, Bienvenido Punzalan, Cornelio Punzalan, Alejo Quito, Marcos Sabado, Demetria Salonga, Diosdado Salangasang, Nicolas Sabado, Jose Sanchez, Nicolas Sanchez, Leocadio Salonga & Wife, Jacinto Salonga, Ciriaco Sangil, Bernabe Santos, Ignacio M. Santiago, Felix Santos, Gavino Santos,

Jesus Santos, Lazaro Santos, Magdalena Santos, Perfecto Santos, Heirs of Proceso Santos, Felipe Sicat, Elias Sawal, Cirilo Silvestre, Pedro Silvestre Victoriano Siongco, Sergio Silvestre, Generoso Suacillo, Etulio Sunga, Felicisima Sunga, Casimiro Sunga, Domingo Sunga, Florentina Vda. de Sunga, Fernand Sunga, Dominga Sunga, Heirs of Faustino Sunga, Juan Sunga, Mateo Sunga, Pamfilo Sunga, Pilar Sunga, Ponciano Sunga, Manuel Sunga, Santiago Sunga, Agapito Trinidad, Melquiades Trinidad, Esegino Viray, Felix Viray, Isabel Vda. de Viray, Ramon P. Viray, Heirs of Isabelo Wage,

Nicolas Wage, Marcos Wage, Cecilio D. Yambao, Juan Yabut, Sosente Yabut, Jorge Yambao, Epifanio Yambao, Mateo M. Yambao, Lolong Yambao, Antonio Yumang, Macaria Vda. de Yumang, Felicisimo Yumang, Heirs of Jose Yumang, Marcelo Yumang, Maxima Vda. de Yumul, Esteban Zabala, Elena P. Zabala and Engracio Zabala, San Roque, Macabebe, Pampanga; Antonio Aguila, Heirs of Aquilina Aguilar, Mercedes Aguilar, Francisco Agustin, Ruben Antonio, Alejandro A. Arcega, Heirs of Alejandro Arcega, Guillermo Arcega, Jose Arcega, Raymunda Arcega, Vicente Arcega, Pedro Balingit, Pablo Bautista,

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Jose Navarro, Melquiades Navarro, Maria Navarro, Macaria Nuqui, Pedro Pabustan, Simplicio Pabustan, Rosendo Palad, Heirs of Julian Paras, Rufino Palad, Aurelio Paras, Abundio Paras, Melencio Panlillo, Luis Paras, Ciriaco Patiag, Felix Patiag, Maria Pineda, Melencio Pingol, Amado Pinlac, Pedro Punzalan, Teodora Ramos, Marina Sabado,

Jacinta Salonga, Anastacio Sanchez, Eulogio Santiago, Heirs of Proceso Santos, Proceso Santos, Santiago Santos, Gaudencio Silva, Norberto Silva, Andres Silvestre, Dorotea Sunga, Heirs of Dorotea Sunga, Jose Sunga, Regina Sunga, Felimon Taylon, Heirs of Zoilo Sunga,

Vicente R. Sunga, Eustaquio Tulud, Bienvenido Viray, Margarita Vda. de Viray, Feliciano Viray, Marina Viray, Heirs of Emiliano Yambao and Mariano Sunga, San Gabriel, Macabebe, Pampanga; Juan Alfonso, Eleuterio Aniciete, Ester Aniciete, Apolonio Balboa, Catalino Balingit, Macario Balingit, Bienvenido Bungay, Emilio Bungay, Dalmacio Bustos, Serapio Bungay, Pedro Bungay, Eleuterio Bustos, Felix Bustos, Vitaliano Bustos, Frisca Vda. de Castillo, Heirs of Basilio Castro, Clodualdo Cunanan, Francisco Cunanan, Felimon Cunanan, Claro Cunanan, Benigno Cunanan,

Luciano Cunanan, Heirs of Marcela Cunanan, Geronimo Cunanan, Rufina Cunanan, Francisco Cunanan, Heirs of Sergio Cunanan, Rita Cunanan, Pablo Datu, Pedro Cunanan, Emilia Dizon, Melencia Espiritu, Melchor Flores, Remigio Flores, Daniel Garcia, Apolonio Garcia, Alfonso Guinto, Alejandro Guinto, Emerenciana Guinto, Julian Guinto, Venancio Guinto, Manuel Guinto, Rafael Guinto, P. Guinto, F. Musni, Rustico Guinto, Antonio Gutierrez, Alejandro Hernandez, Nicolas Ignacio, Heirs of Emilio Isip, Fidel Isip, Maria Isip, Jose Isip, Heirs of Natalia Lobo, Dominador Lobo, Leonardo Lilles, Jesus Lobo,

Venancio Macalino, Angelo Magat, Angel Magat, Bonifacio Magat, Catalina Mallari, Catalino Mallari, Encarnacion Mallari, Josefa Mallari, Maria Mallari, Pedro Mallari, Angelo Manalang, Marcela Medina, Felisa Medina, Jose Mercado, Felixberto Musni, Heirs of Celedonio Musni, Fernando Musni, Leon Nabong, Andrea Nicdao, Marcos Nicdao, Bonifacio Ocampo, Maria Pineda, Francisco Quiambao, Fernando Quiambao, Consolacion Quiambao, Heirs of Melencio Quiambao, Crispina Rivera, Juan Reyes, the Parish Priest, Roman Catholic Church, Filimeno Sabado, Bienvenido Sarmiento, Benita Sarmiento,

Roberto Silva, Heirs of Jacinto Sonza, Angeles Sunga, Alejo Tolentino, Anacleto Tolentino, Escolastica Tolentino, Gregoria Tolentino, Mateo Tolentino, Florencio Trinidad, Placido Trinidad, and Juan Yabut, Santa Lutgarda, Macabebe, Pampanga; Pilar Balingit Vda. de Benozza, Emiliano Cano, Paulino Caparas, Rosalina Vda. de la Cruz, Anacleto Garcia, Pedro Garcia, Valentina Gomez, Heirs of Eriberto Gomez, E. Gonzales, the Parish Priest, Roman Catholic Church, Anastacio Hernandez, Elena Hernandez, Emerenciana Her-

nandez, Fortunato Hernandez, Lourdes Hernandez, Pedro Hernandez, Lope Magat,

Fortunata Maglalang, Fortunato Maglalang, Claudio Maglalang, Lorenzo Maglalang, Camela Manabat, Alejandro Mandap, Heirs of Alejandro Mandap, Pablo Navarro, Manuel Pabustan, Aurelio Pangilinan, Cecilia Pangilinan, Leoncio Paras, Filomeno Reyes, Roberto Silva, Segunda Silvestre, Pelagio Sunga, Pedro Yambao, Saturnino Yumul and Eugenio Zabala, Cadarangtete, Macabebe, Pampanga; Heirs of Eliseo Bondoc, Conrado Bustos, Filomeno Bustos, Dominga Cancio, Eulogio Castillo, Francisco Castillo, Domingo Cunanan, Pablo Datu, Emilia Dizon, Maria Ducut, Leonardo Lilles, Lorenza Enriquez, Lorenzo Enriquez,

Daniel Garcia Sr., Teodora Dizon, Geronima Garcia, Felix Hernandez, Sr., Heirs of Hospicio Hernandez, Eduardo Lagman, Toribia Lagman, Segunda Lagman, Eladio Leaño, Leodegario Lilles, Venancio Marcelino, Juan Masangkay, Heirs of Juan Masangcay, Magno Nuqui, Antonio Pacia, Gerundio Pacia, Honorio Pacia, Toribia Pacia, V. Pacia, T. Lagman, Mercedes Pacia, Ufemia Pacia, Maria Pineda, Heirs of Arsenio Santos, Celestina Yumang, Faustino Yumul, Mataginti, Macabebe, Pampanga; Evaristo Vda. de Baluyot, Agustin Blanco, Margarita Bugnay, Maria Cruz, Bienvenido Dungo, Domingo Flores, Higino Gomez, Belen Hernandez,

Lucia B. Isip, Gregorio Limpin, Heirs of Maria Macalino, Maria P. Macalino, Santiago Manansala, Pedro Y. Naluz, Isaías Pangilinan, Antonio Pangan, Sr., Heirs of Manuel Pangan, Heirs of Rafael Panganiban, Heirs of Apolonio Pinlac, Jose M. Quiambao, Arturo Reyes, Heirs of Agapito Sangalang, Bernabe Santos, Zenaida Santos, Feliciano Viray, Jose Viray, Domingo Yabut, Heirs of Lazaro Yambao, Juan Yabut and Asuncion Yambao, Sta. Rita, Macabebe, Pampanga; Leonardo Yabut, Emerenciana Mallari, Jose Balingit, Raymundo Bantug, Isaac Bautista, Arsenio Bonifacio, Dominador Bustos, Heirs of Dalmacio Bustos, Marcelino Bustos, Buenaventura Castillo, Emilio Castillo,

Urbano Castillo, Ramon Cortez, Segundo de la Cruz, Ignacio Dizon, Antonio Flores, Eriberto Gomez, Enia Hernandez, Felix Hernandez, Sr., Felix Hernandez, Felipe Juyco, Apolonio Lacap, Encarnacion Mallari, Maria Mallari, M. Mendoza, F. Guanzon, Juan Paras, Heirs of Arsenio Santos, Felino Sunga, Patricio Sunga, Virgilio Velasco and Jorge Puno, Saplad David, Macabebe, Pampanga; M. Arnedo, R. Polintan, Brigida Bondoc, Gerarda Bondoc, Buenaventura Castillo, Juan dela Cruz, Francisco Isip, Francisco Lacsa, Deo-

gracias Manacop, Zacarias Manacop, Nicolas Manansala, R. Polintan, Maria Palad, Juan Paras, E. Cano, Proceso de los Santos, Heirs of Remigio Sunga, Simplicio Sunga and Jorge Yambao, Tacacan, Macabebe, Pampanga; Jose Bustos, Heirs of Jose Bustos, Aguido Carillo, Pablo Datu, Leocadio Fajardo, Honorato Guinto, Eliodoro Guinto, Venancio Guinto, Heirs of Venancio Guinto, Bibiana Mallari, Augusto Mallari, Catalina Mallari, Domiciano Mallari, Juliana Mallari, Francisco Mallari, Maria Mallari, Heirs of Maria Mallari, Heirs of Segundo Mallari, Valentin Mallari and Regina Salonga, Castuli, Macabebe, Pampanga;

Whereas, a petition has been presented to this Court by the Director of Lands, praying that the titles to the following described lands or the various parcels thereof, be settled and adjudicated:

A parcel of land, with the buildings and improvements thereon, containing an area of 2247.5548 hectares, more or less, divided into 2,074 lots, situated in the Municipality of Macabebe, Province of Pampanga, the same being designated as Macabebe Cadastre, Cad. 378-D, Case 2. Bounded on the N., by the Minalin Cadastre, Cad. 379-D, Case 2, properties of Felipe Juinico, John Lagman, Raymundo Bantug, Miguel Flores, Delfin Manuel, Eleuterio Bustos, Luciano Marcial, Anastacio Mallari, Cecilio Bernabe, Servando Mandap, Cecilia Vda. de Lagman, Filomeno Lacap, Urbano Castillo, Renato Gonzales and the Lamit Creek; on the NE., by the Apalit Cadastre, Cad. 150, Case 2, properties of Florencia Sioco Vda. de Gonzales, Maria Ignacio Arnedo, Maria Magdalena Arnedo, the Lamit Creek, the National Road; on the SE., by the Macabebe Cadastre, Cad 3780D, Case 1, Masantol Cadastre, Cad 305-D, Case 1, Masantol Cadastre, Cad 305-D, Case 2, property of Leonardo Hernandez, the National Road, Barrio Road and the Quelumoran River; on the S., by the Masantol Cadastre Cad 305-D, Case 2 and the Quelumoran River; on the SW., by the Macabebe Cadastre Cad 378-D, Case 3, properties of Emilio Bustos and the Roman Catholic Church and the Sumangal River; on the W., by the Macabebe Cadastre, Cad 378-D, Case 3 and the Sumangal River; and on the NW., by the Macabebe Cadastre, Cad 378-D, Case 3, the Minalin Cadastre, Cad 379-D, Case 2, and the Sumangal River, Saguin River, Libutim Creek, the Sapang Mata-lahib, Sapang Sapinit, Saplad River and the Sampaloc River.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held at the Old Court Building, in the Municipality of San Fernando, Province

of Pampanga, Philippines, on the 15th day of August, 1975, at 8:30 o'clock in the forenoon, to present such claims as you may have to said lands or any portion thereof, and to present evidence if any you have, in support of such claims.

And unless you appear at the time and place aforesaid, your default will be recorded and the titles to the lands will be adjudicated and determined in accordance with the prayer of the petition and upon the evidence before the Court, and you will be forever barred from contesting such petition or any decree entered thereon.

Witness, the Hon. Lorenzo R. Mosqueda, Judge of said Court, the 20th day of January, in the year 1975.

Issued at Quezon City, Philippines, this 24th day of March, 1975.

Attest:

GREGORIO BILOC, JR.
Commissioner of Land Registration

[22, 23]

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF
PANGASINAN

Land Registration Case No. A-328
LRC Record No. N-46901

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the District Land Office No. 1-7, Dagupan City; the Municipal Mayor, the Municipal Council, Teresita B. Villamayor, the 3rd Pangasinan Highway District Engineer, Leonida Peralta, Alaminos, Pangasinan; Juan Navarro, Dalmacio de Ocampo, Flora C. Casipit, Cesar Casipit, Jose Platon, Heirs of Sixto Navarro, Casburan, Alaminos, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Rodolfo Villamayor, Poblacion, Alaminos, Pangasinan, to register and confirm his title to the following properties:

Two (2) parcels of land, situated in the Poblacion, Municipality of Alaminos, Province of Pangasinan. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 701, Cad. 325-D, Alaminos Cadastre, plan Ap-1-00112). Bounded on the NE. and SE. by the National Road; on the SW. by Lot 587; and on the NW. by property of Cezar Casipit. Point "1" is S. 54 deg. 59 min. E., 484.18 meters from BLLM 1, Cad. 325-D, Alaminos Cadastre. Area seventy-four (74) square meters, more or less.

2. A parcel of land (Lot 587, Cad. 325-D, Alaminos Cadastre, plan Ap-1-00112). Bounded on the NE. by Lot 701; on the SE. by property of Jose Platon; on the SW. by property of the Heirs of Sixto Navarro; and on the NW. by property of Cezar Casipit. Point "1" is S. 54 deg. 59 min. E., 484.18 meters from BLLM 1, Cad. 325-D, Alaminos Cadastre. Area seven hundred thirty-six (736) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Alaminos, Province of Pangasinan, Philippines, on the 29th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Gregorio A. Legaspi, Judge of said Court, the 2nd day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division
[22, 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF
PANGASINAN

Land Registration Case No. A-329
LRC Record No. N-46915

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the District Land Office No. 1-7, Dagupan City; the 3rd Pangasinan Highway

District Engineer, the Municipal Mayor, the Municipal Council, Juan Rausa, Ignacio Rabina, Florencio Rangel, Eugenio Fenix, Anastacio Viray, Vicente Rabina, Teodoro Bialsa, Alejandro Rabina, Simeon Rabina, Ciriaco Rabina, Praxedes Rabina, Alaminos, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses, Rodrigo R. Rausa and Aurora Villamil, Basa Compound, E. Rodriguez, Jr. St., Libis, Quezon City, assisted by Atty. Augusto F. del Rosario, 1132 Pedro Gil, Paco, Manila, to register and confirm their title to the following property:

A parcel of land (plan Psu-84445), with the improvements thereon, situated in the Barrio of Lucap, Municipality of Alaminos, Province of Pangasinan. Bounded on the NE., by Lingayen Gulf; on the S., by property of Eugenio Fenix; and on the SW., by properties of Anastacio Viray, Ignacio and Praxedes Rabina, Vicente Rabina, Teodoro Bialsa, Alejandro Rabina, Simeon Rabina, Ciriaco Rabina, Juan Rausa, Praxedes Rabina and Ignacio Rabina; and on the NW., by property of Florencio Rangel. Point "1" is N. 42 deg. 48 min. E., 4,194.60 meters from BLLM 1, Alaminos, Pangasinan thru Psu-84301. Area one hundred ninety six thousand nine hundred eighty (196,980) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Alaminos, Province of Pangasinan, Philippines, on the 25th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Magno B. Pablo, Judge of said Court, the 25th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division
[22 23]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE
OF PANGASINAN

Land Registration Case No. D.-1437
LRC Record No. N-46916

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Di-

rector, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, and the 1st Pangasinan Highway District Engineer, Lingayen, Pangasinan; the District Land Office No. 1-7, Dagupan City; the Municipal Mayor, the Municipal Council, Santiago Campos, Julia de los Santos, Pedro Torio, Mariano Tamayo, Mateo Campos and Esperanza de los Santos, Sta. Barbara, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Cucufate del Prado, Poblacion, Sta. Barbara, Pangasinan, to register and confirm his title to the following property:

A parcel of land (Lot 1, plan Psu-118340), situated in the Barrio of Dalongue, Municipality of Santa Barbara, Province of Pangasinan. Bounded on the NE., by properties of Santiago Campos, Julia de los Santos and Pedro Torio; on the SE., S. and SW., by a Road; and on the NW., by properties of Mateo Campos and Mariano Tamayo. Point "1" is N. 41 deg. 31 min. W., 393.36 meters from BLLM 2, Sta. Barbara, Pangasinan. Area nine thousand seven hundred forty-five (9,745) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the City of Dagupan, Philippines, on the 17th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felipe P. De Vera, Executive Judge of said Court, the 8th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8775
LRC Record No. N-46894

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

District Land Office No. IV-I, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, the Municipal Mayor, the Municipal Council, Antonio San Pedro, Francisco Raymundo, Pasig Rizal; the Municipal Mayor, the Municipal Council, Taguig, Rizal; Simeon Mag-sajo, Bambang, Pasig Rizal; Heirs of Buena-ventura Esguerra, Heirs of Rufino San Pedro, Heirs of Isidoro Sumulong, Iglesia Pilipina Independiente, Heirs of Patricio Lucas, S. San Pedro, Atilano Panganiban, Amelia Estacio, and Francisco P. Balderrama, Jr., Napindan, Taguig, Rizal; Artemio Castillo, Ususan, Taguig, Rizal; Braulio Estacio, Tecla Lakian, Guillermo Lontoc, Katwiran, Napindan, Taguig, Rizal; Engracia Guillermo, Pedro Magsalin, Garet, Napindan, Taguig, Rizal; Crisanta Estacio, Laureana Balderama, Purificacion Lontoc, Arsenio Estacio, Isidoro Magsalin, Remedios Bernabe, Romeo Balderama, Dionisio Capistrano, Tipas, Taguig, Rizal; Tomas Licsi, Bonifacio Calixto, Segundo Martin, Nagpayong, Pinagbuhatan, Pasig, Rizal; Laureano Pagkalinawan, Ponciano Mendoza, Ibayo Napindan, Taguig Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Remedios Natividad Vda. de Cuaresma, Federico Cuaresma, Ernesto Cuaresma, Pilar Cuaresma, Guellermo Cuaresma, Lorna Cuaresma, Napindan, Taguig, Rizal; and Josefina Cuaresma, Ususan, Taguig, Rizal; to register and confirm their title to the following properties:

1. A parcel of land (Lot 1, plan Psu-206813), situated in the Barrio of Napindan, Municipality of Taguig, Province of Rizal. Bounded on the NE., by property of Arsenio Estacio; on the SE., by property of Crisanto Estacio; and on the SW., by property of Laureana Balderama; and on the NW., by property of Purificacion Lontoc. Point "1" is N. 60 deg. 12 min. E., 2,239.13 meters from BLLM 1, Taguig, Rizal. Area three thousand four hundred sixty-nine (3,469) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-206813), situated in the Barrio of Napindan, Municipality of Taguig, Province of Rizal. Bounded on the NE., by property of Remedios C. Bernabe; on the SE., by property of Romeo Balderama; on the SW., by property of Dionisio Capistrano; and on the NW., by property of Isidoro Magsalin. Point "1" is N. 71 deg. 39 min. E., 2,637.81 meters from BLLM 1, Taguig, Rizal. Area five thousand nine

hundred sixty-eight (5,968) square meters, more or less.

3. A parcel of land (plan Psu-253105), situated in the Barrio of Pinagbuhatan, Municipality of Pasig, Province of Rizal. Bounded on the NE. & NW., by property of Simeon Magsajo; on the SE., by property of Antonio L. San Pedro; and on the SW., by the Pasig River. Point "1" is S. 51 deg. 07 minutes E., 2,749.78 meters from BLLM 1, Pasig, Rizal. Area four thousand three hundred sixteen (4,316) square meters, more or less.

4. A parcel of land (plan Psu-253107) with the building and improvements thereon, situated in the Barrio of Ibayo Napindan, Municipality of Taguig, Province of Rizal. Bounded on the NE., by property of Francisca Raymundo; on the SE., by property of the Heirs of Rufino San Pedro; on the SW., by property of the Heirs of Buenaventura Esguerra; and on the NW., by properties of the Heirs of Isidoro Sumulong and Francisco P. Balderrama, Jr. Point "1" is S. 53 deg. 40 min. E., 3,084.32 meters from BLLM 1, Pasig, Rizal. Area four thousand eight hundred thirty-four (4,834) square meters, more or less.

5. A parcel of land (plan Psu-222698), situated in the Barrio of Napindan, Municipality of Taguig, Province of Rizal. Bounded on the NE., by Calle Balagtas; on the SE., by property of the Heirs of Patricio Lucas; on the SW., by Calle L. Labao; and on the NW., by Iglesia Filipina. Point "1" is N. 60 deg. 09 min. E., 2,769.70 meters from BLLM 1, Taguig, Rizal. Area two hundred forty seven (247) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the Hall of Justice, Provincial Capitol Compound, Municipality of Pasig, Province of Rizal, Philippines, on the 12th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Emilio V. Salas, Presiding Judge, Branch I of said Court, the 2nd day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

[22, 23]

Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8778
LRC Record No. N-46907

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Antipolo, Rizal; Ireneo Galang and Consuelo Tolentino, Manuel L. Quezon St., Antipolo, Rizal; Sotera Garcia, San Jose St., Antipolo, Rizal; Modesto Patiack, Pilar Almira, Barrio Tanag, Antipolo, Rizal; Singarosa Carigma, Maria Engracio Amorocio Carigma, Ibayo ng Tanag, Antipolo, Rizal; Pilar Alevira, Sto. Niño St., Antipolo, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Mariano Garcia, No. 33 Sto. Niño St., Antipolo, Rizal, to register and confirm his title to the following property:

A parcel of land (plan Psu-210673), situated in the Barrio of Tanag, Municipality of Antipolo, Province of Rizal. Bounded on the N., by a Callejon; on the SE., by property of Modesto Patiack; on the S., by property of Sotera Garcia; and on the W., by property of Ireneo Galang and Consuelo Tolentino. Point "1" is S. 86 deg. 18 min. E., 1,042.72 meters from BLLM 1, Antipolo, Rizal. Area six thousand ninety-two (6,092) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the 5th Floor, Margarita Bldg., J. Rizal Avenue, corner Cardona St., Municipality of Makati, Province Rizal, Philippines, on the 1st day of October, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Leo D. Medialdea, Judge of said Court, the 1st day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8732
LRC Record No. N-46935

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, and the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor and the Municipal Council, Taguig, Rizal; Fortunato Rayos del Sol, 276 Palington, Tipas, Taguig, Rizal; Andres Tanyag, 352 Palington, Tipas, Taguig, Rizal; the Heirs of Luis Sta. Ana, 110 Palington, Tipas, Taguig, Rizal; Marcelino Estacio, 221 Palington, Tipas, Taguig, Rizal; and Ismael Bonifacio, Tipas, Taguig, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Encarnacion E. Bonifacio, Tipas, Taguig, Rizal; to register and confirm her title to the following property.

A parcel of Land (plan Psu-181141), situated in the Barrio of Napindan, Municipality of Taguig, Province of Rizal. Bounded on the N., by properties of the Heirs of Luis Sta. Ana and Marcelino Estacio; on the E., by property of Fortunato Rayos del Sol; on the S., by property of Andres Tanyag; and on the W., by Mahato Creek; Point "1" is N. 42 deg. 29 min. E., 2,611.68 meters from BLLM 1, Taguig, Rizal. Area twelve thousand three hundred eighty-two (12,382) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal at its session to be held in the Municipality of Pasig, Province of Rizal, Philippines, on the 11th day of September, 1975, at 8:30 in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded

and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Carolina C. Griño-Aquino, Judge of said Court the 8th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8762
LRC Record No. N-46958

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano Street, San Miguel Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor and the Municipal Council, Morong, Rizal; Leopoldo Santiago, Celestino Santiago, Carmen Santiago, Leon Santiago, Andres Santiago, Nicolas Santiago, Anastacio Tiratira, Apolonia Buenaventura, Valentin de Leon and Juanita Bautista, Lagundi, Morong, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Iglesia Ni Cristo, represented by Eraño G. Manalo, Executive Minister and Administrator, Corner Central and Commonwealth Avenues, Diliman, Quezon City; thru Tafalla, Cruz & Associates, by Atty. Felix Gagarin, Central & Commonwealth Avenues, Diliman, Quezon City, to register and confirm its title to the following property:

A parcel of land (Lot 5029, Psc-16, Morong Cadastre, plan Ap-04-000356), situated in the Barrio of Lagundi, Municipality of Morong, Province of Rizal. Bounded on the N. by property of Nicolas Santiago; on the E. by property of Valentin de Leon; on the S. by property of Anastacio Tiratira vs. Apolonia Buenaventura; and on the W. by a barrio road. Point "1" is N.

46 deg. 00 min. W., 393.41 from MBM 16, Psc-16 Morong Cadastre. Area five hundred thirty-five (535) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held in the Municipality of Pasig, Province of Rizal, Philippines, on the 11th day of September, 1975, at 8:30 o'clock in the forenoon to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Celso L. Magsino, Judge of said Court, the 24th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: **GREGORIO BILOG, JR.**
Commissioner of Land Registration

By: **GREGORIO C. SEMBRANO**
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8800
LRC Record No. N-47036

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the District Land Office No. IV-1, 757 Gen. Solano Street, San Miguel Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer the General Manager, Laguna Lake Development Authority, the Municipal Mayor, the Municipal Council, Pasig, Rizal; Mariano Cruz, Hilarion Plaza, Elena Plaza, Bo. Santolan, Pasig Rizal; Tulano Plaza, Salvador Plaza, Mangahan, Pasig, Rizal; Vicente Gomez, Maria Cruz, Anita Lazaro, San Roque, Marikina, Rizal; Pacifico Cruz, Magdalena Mina, Santiago Sanchez, Jr., Salome Angeles, Rolando Estanislao, Calumpang, Marikina, Rizal; Adoracion J. Reyes, 189 4th Avenue, Grace Park, Caloocan City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Agustina Cruz, Florentino C. Paz,

Constancia C. Paz, Marcial C. Paz, Zenaida C. Paz, Calumpang, Marikina, Rizal; Benjamin C. Paz, Alberto C. Paz, Flordeliza C. Paz, San Roque, Marikina, Rizal; Enrique C. Paz, 189 4th Avenue, Grace Park Caloocan City; Ricardo C. Paz, 89 4th Avenue, Grace Park, Caloocan City; assisted by Atty. Diogenes G. Bartolome, 167-A Luna St., Pasig, Rizal, to register and confirm their title to the following properties:

A parcel of land (Lot 3, plan Psu-113409), situated in the Barrio of Santolan, Municipality of Pasig, Province of Rizal. Bounded on the N. by Lot 4; on the E. by property of Vicente Gomez; on the S. by Lot 2; and on the NW. by property of Mariano Cruz. Point "1" is S. 4 deg. 58 min. E., 2,260.16 meters from BLIM 1, Marikina, Rizal. Area eleven thousand eight hundred forty-one (11,841) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held in the Municipality of Pasig, Province of Rizal, Philippines, on the 28th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Pedro C. Navarro, Judge of said Court, the 15th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 19th day of May, 1975.

Attest: **GREGORIO BILOG, JR.**
Commissioner of Land Registration

By: **GREGORIO C. SEMBRANO**
[22, 23] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF ZAMBALES
AND OLONGAPO CITY

Land Registration Case No. N-133
LRC Record No. N-46560

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Iba. Zambales, the District Land Office No. III-4, Olon-

gapo City; the Municipal Mayor, the Municipal Council, and Jesus F. Magsaysay, Heirs of Feliciano R. Fastidio, Castillejos, Zambales; and Feliciano R. Fastidio, Locc, Castillejos, Zambales; and all whom it may concern:

Whereas, an application has been presented to this Court by Jassmag Inc., represented by Aniceta S. Pingol, 7th Floor Ramon Magsaysay Center, Roxas Boulevard, Manila, assisted by Atty. Antonio P. Cacho, Iba, Zambales, to register and confirm its title to the following property:

A parcel of land (Lot 1477 Cad-322-D Castillejos Cadastre, plan Ap-03-000804), situated in the Barrio of Locc, Municipality of Castillejos, Province of Zambales. Bounded on the NE. by a Creek; on the SE., & SW., by Lot 2030 Cad-322-D Castillejos Cadastre; and on the NW. by a Creek. Point "1" is S. 65 deg. 06 min. W., 5,699.74 meters from BLLM 1. Area fifty three thousand eight hundred thirty-four (53,834) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Zambales, at its session to be held in the City of Olongapo, Philippines, on the 16th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Domingo D. Panis, Judge of said Court, the 8th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 20th day of May, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

[22, 23]

Kawanihan ng mga Lupain (BUREAU OF LANDS)

[FIRST PUBLICATION]

SALE OF PUBLIC LANDS

Notice is hereby given that the Bureau of Lands at Kidapawan, North Cotabato will sell through oral bidding to the highest bidder at 10:00 o'clock A.M. on July 21, 1975 the tract of land described below:

Location of Land: Kabakan, North Cotabato

Description: Lot No. 95, Ts-266

Area: 300 square meters

Appraised Value of Land: P3.00 per square meter

Value of Existing Improvements: P2,020.00—house and clearing

Applied for: M.S.A. No. (VIII-5)520 Fortunato Salcedor, Jr.

In order that a person may be entitled to participate in the bidding, he must, before the commencement of the same, make deposit of at least ten percent (10%) of the appraised value of the land. During the bidding, the bidder has to make an additional deposit everytime his bid is raised to complete the 10% of his raised bid; otherwise, such bid as raised shall not be accepted. Only deposit in cash, money order, treasury warrant, certified check, cashier's check or manager's check can be accepted.

The successful bidder if other than the applicant must reimburse the latter of the value of the improvements and the expenses for the publication of the notice of auction.

The right is reserved to reject any or all bids.

Manila, April 18, 1975.

(Sgd.) RAMON N. CASANOVA

Director of Lands

[22-27]

Lupon ng Pamumuhunan
(BOARD OF INVESTMENTS)**[FIRST PUBLICATION]**

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
BOARD OF INVESTMENTS
ORTIGAS BUILDING, ORTIGAS AVENUE
PASIG, RIZAL, PHILIPPINES D-721

NOTICE

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, TE LIONG UN, a citizen of the Republic of China, with office address at Manila Textile Market, Soler Street, Manila, has filed with the Board of Investments an application for a license to engage in the wholesale of general merchandise particularly textile products. The business is capitalized at P63,702.57, Philippine currency, and is actually a continuation of an existing business licensed under the name of his deceased father.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That he shall not expand into another line of business without prior Board approval; and
- 2) That he shall submit an annual report of his business activities on or before March 31 of each year using the prescribed BOI Form No. 5032.

April 7, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.
[22-24] Board Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
BOARD OF INVESTMENTS
ORTIGAS BUILDING, ORTIGAS AVENUE
PASIG, RIZAL, PHILIPPINES D-721

NOTICE

Notice is hereby given that pursuant to Section 3 of Republic Act No. 5455 and Section 2, Rule III, of the Basic Rules and Regulations to Implement the Intent and Provisions of the said Act, W.A. CHITTICK AND COMPANY, a corporation existing under the laws of the Philippines, with business address at Rufino Building, Ayala Avenue, Makati, Rizal, and engaged in electrical, safety and fire protection business, has filed with the Board of Investments an application to accept the permissible investment of James T. Hodge, in the total amount of P217,480.00, Philippine currency.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the following conditions:

- 1) That the applicant shall not increase its capital stock or expand in other lines of business activities without securing prior BOI authority; and
- 2) That it shall submit an annual report of its business activities (using BOI Form No. 5032) on or before March 31 of each year.

April 16, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION, JR.
[22-24] Board Secretary

MGA PAHAYAG NA LEGAL AT OPISYAL

(LEGAL AND OFFICIAL NOTICES)

Hukumang Unang Dulugan

(COURT OF FIRST INSTANCE)

[LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAPIZ
ELEVENTH JUDICIAL DISTRICT
BRANCH IV

CADASTRAL CASE No. 8, LRC CADASTRAL RECORD No. 375, Lot No. 2794, Dao Cadastre.—Reconstitution Case No. 1377.

EUFEMIA ADVINCULA, Petitioner

NOTICE OF HEARING

To: Atty. Mabini V. Roblete, Cuartero, Capiz; the Provincial Engineer, Roxas City; Salvador Caa-tiller and Zoilo Pimentel, both of Cuartero, Capiz; and to whom it may concern:

Whereas, a petition has been filed under the provisions of Republic Act No. 26, by Atty. Mabini V. Roblete, counsel for the petitioner for the reconstitution of Original Certificate of Title, alleged to have been lost or destroyed on file in the Office of the Register of Deeds of Capiz, as well as its duplicate copy as a result of the last World War. The said lot is bounded and described as follows:

“A parcel of land (Lot 2794 of the cadastral survey of Dao, LRC Cad. Rec. No. —), situated in the barrio of Cuartero, Municipality of Dao, Province of Capiz. Bounded on the W., along line 1-2, by the Provincial Road; on the N., along line 2-3, by Lot 2795 and on the NE. and S., along lines 3-4-1, by Lot 2787, both of Cad. 147, Dao Cadastre. Containing an area of eight hundred ninety-five (895) square meters.”

Therefore, you are hereby given notice that the said petition has been set for hearing on the 11th day of September, 1975, at 8:00 o'clock in the morning, in the session hall of Branch IV, Provincial Capitol in Roxas City, in which date, time and place, you should appear and file your objections or claims if you have any to the petition.

Witness, the Hon. Fidencio S. Raz, Judge of this Court, this 10th day of March, 1975.

(Sgd.) CIRIACO ABELLA VITO

[21, 22]

Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAPIZ
ELEVENTH JUDICIAL DISTRICT
BRANCH I

CADASTRAL CASE No. 4 LRC CADASTRAL RECORD No. 909 Lot No. 2357, Panitan Cadastre
MAGDALENA DIAZ RAYNALDO, Petitioner

AMENDED NOTICE OF HEARING

To: Magdalena Diaz Raynaldo, Aniceto Dadivas, Florencio Bauson, Bienvenido Dadivas, all of Panitan, Capiz; Alvaro Diaz, Paquita Bacea, both of Oadio, Panitan, Capiz; and Tercza Benitez, Premier de Mayo, Roxas City and to whom it may concern:

Whereas, a petition has been filed with this Court under the provisions of Republic Act No. 26 by Magdalena Diaz Raynaldo for the reconstitution of a lost Original Certificate of Title alleged to have been lost or destroyed on file in the Office of the Register of Deeds of Capiz, as well as its duplicate copy as a result of the last world war. The said lot is bounded and described as follows:

“A parcel of land (Lot 2357 of the cadastral survey of Panitan, LRC. Rec. No. 909), situated in the Barrio of Oadio, Panitan, Capiz. Bounded on the NW., NE. and NW., along lines 1-2-3-4-5-6, by Lot 3555; on the NE., E. and NW., along lines 6-7-8-9-10-11, by Lot 2354; on the NE., along line 11-12, by Lot 2352; on the N., along line 12-13, by Lot 2351; on the E., along line 13-14, by Lot 3103; on the SE. and E., along lines 14-15-16-17, by Lot 3103; on the E., along line 17-18, by Lot 2359; on the SW. and SE., along lines 18-19-20, by Lot 2364; on the SW., along line 20-21, by Lot 2365; on the SW. and SE., along lines 21-22-23-24, by Lot 2370, and on the W., SW. and W., along lines 24-25-26-27-1, by Lot 2356, all of Panitan Cad. Containing an area of forty six thousand seven hundred and eighty-eight (46,788) square meters.”

Therefore, you are hereby given notice that the said petition has been re-set for hearing on the 5th day of September, 1975, at 8:00 o'clock in the morning, in the session hall of this Court, Branch I, at the Provincial Capitol in Roxas City, on

which date, time and place you should appear and file your objections or claims if you have any to the petition.

Witness, the Honorable Pelayo V. Nuevo, Judge of this Court this 29th day of April, 1975.

(Sgd.) ANDRES E. DONATO, JR.

[21, 22] Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAVITE
SEVENTH JUDICIAL DISTRICT
BACOR, CAVITE

LRC RECORD No. 8843.—Petition for Judicial Reconstitution of Title No. 2486

REMEDIOS CADIZ, Petitioner

NOTICE OF HEARING

There is a petition filed by petitioner, alleging among things, that she is one of the legal heirs of the late Eugenio Cadiz, the registered owner of a parcel of land known as Cadastral Lot No. 1739, situated at Malagasang Ist., Imus, Cavite; that the owners copy was lost while its original copy was burned on June 7, 1959; that the land is not effected by any lien or encumbrances; and praying that the Register of Deeds for the Province of Cavite be ordered to reconstitute the title to the said lot.

Notice is hereby given that the said petition has been set for hearing on August 15, 1975, at 9:00 a.m., in this Court, Branch V, Bacoor, Cavite, on which date, hour and place, any person interested was cited to appear and show cause why the said petition should not be granted.

Let this Notice be published twice in the *Official Gazette*.

Bacoor, Cavite, May 12, 1975.

(Sgd.) ROLANDO D. DIAZ

[21, 22] Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LAGUNA
EIGHTH JUDICIAL DISTRICT
BRANCH IV

CADASTRAL CASE No. 6, GLRO CADASTRAL RECORD No. 190, Lots 58 and 60, Lumban Cadastre.—
In Re: Petition for Reconstitution of Title.

SPS. ENRIQUE C. SOBREPENA and PETRA A. SOBREPENA, Petitioners

NOTICE

To: the Register of Deeds, Sta. Cruz Laguna;
Spouses Enrique C. Sobrepena and Petra A. Sobrepena, Sta. Cruz, Laguna; Telesforo Abueg, Lumban, Laguna; Spouses Marcelino

Porciuncula and Francisca Anonuevo, Lumban, Laguna; Modesto Macalagay, Lumban, Laguna; and to all whom these may concern:

Whereas, the above-named petition for reconstitution of Torrens Title, filed with this Court, alleges that two Original Certificates of Title Nos. (not available) of the land records of Laguna, issued in the names of Julian Llamanzares and Mariano de Robles, covered two parcels of land particularly described as follows:

"A parcel of land (Lot 58 of the cadastral survey of Lumban, Cad.-55, LRC Record No. 190), situated in the Barrio of Lewin, Municipality of Lumban, Province of Laguna. Bounded on the SW. by Lot 57; on the NW. and NE. by Lot 59; and on the SE. by Lot 60, all of Cad.-55, Lumban Cadastre. Containing an area of one thousand seven hundred and fifty-eight (1,758) square meters."

"A parcel of land (Lot 60 of the cadastral survey of Lumban, Cad.-55, Case 6, LRC Record No. 190), situated in the Barrio of Lewin, Municipality of Lumban, Province of Laguna. Bounded on the NW. by Lot 58; on the N. and NE. by Lot 59, both of Cad.-55, Lumban Cadastre; on the NE. by Caliraya Lake; on the SE. and SW. by Lot 61; and on the NW. by Lot 57, both of Cad.-55, Lumban Cadastre. Containing an area of thirteen thousand six hundred and eighty-eight (13,688) square meters."

that the originals as well as the owner's duplicates thereof were either lost or destroyed during the last world war;

Therefore, you are hereby given notice that the petition is set for hearing on September 19, 1975, at 8:00 a.m., before the Fourth Branch of this Court in Sta. Cruz, Laguna, on which date, time and place you should appear to file and establish your claim or objection, if any you have, to the petition.

Witness, the Honorable Maximo A. Maceren, Judge of the said Court, on this 5th day of March, 1975.

(Sgd.) FRANCISCO S. ABELLA

[21, 22] Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LAGUNA
EIGHTH JUDICIAL DISTRICT
BRANCH II

CADASTRAL CASE No. 43, GLRO RECORD No. 1941, Lot 2053, Sta. Cruz Cadastre.—In Re Petition for Judicial Reconstitution of Original Certificate of Title No. (N.A.).

SERGIO R. CIRIACO, Petitioner

NOTICE OF HEARING

To: the Register of Deeds, the District Engineer, the Municipal Mayor, Atty. Nonia dela Peña,

Pricila Falcon, Justiniano Falcon, Bonifacio Falcon, all of Santa Cruz, Laguna; and to whom these may concern:

Whereas, the above-named petition filed with this Court alleges that Original Certificate of Title No. (N.A.) of the land records of Laguna, issued in the name of Primitiva Ciriaco of Los Baños, Laguna, covered the parcel of land particularly described as follows:

"A parcel of land (Lot 2053 of the Cadastral Survey of Santa Cruz, GLRO Rec. No. 1941), situated in the Barrio of Patimbao, Municipality of Santa Cruz, Province of Laguna. Bounded on the N. by Lot 2052; on the NE. by the Santa Cruz River; on the SE. by Lot 2054 and Barrio Road, all of Santa Cruz Cadastre. Containing an area of one thousand three hundred thirty (1,330) square meters, more or less."

that the original and owner's duplicate thereof were either lost or destroyed during the last world war; and that the petitioner is an heir of the registered owner;

Therefore you are hereby given notice that the petition is set for hearing on September 17, 1975, at 8:30 a.m. before the Second Branch of this Court in Santa Cruz, Laguna, on which date, time and place, you should appear to file and establish your claim or objection, if any you have, to the petition.

Witness, the Honorable Gabriel V. Valero, Judge of this Court, this 13th day of March, 1975 at Santa Cruz, Laguna.

(Sgd.) FRANCISCO S. ABELLA

[21, 22] Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LAGUNA
EIGHTH JUDICIAL DISTRICT
BRANCH I, BIÑAN

G.L.R.O. RECORD No. 8375—In the Matter of Petition for Reconstitution of Originals and Owner's Duplicate Certificates of Title Nos. 16377 and 3550, of the Registry of Deeds of Laguna and Issuance of new Transfer Certificates of Title to "The Legal heirs of Exequiel Dia" and Juan Canog, respectively.

GENARO CAPATE, Petitioner

NOTICE

To: The Register of Deeds, Calamba, Laguna; Atty. Valentin R. de los Reyes, Sta. Rosa, Laguna; Mr. Genaro Capate, Sta. Rosa, Laguna; The Municipal Mayor, Sta. Rosa, Laguna; Eulalio Reyes, Sta. Rosa, Laguna; and to all whom it may concern:

Whereas, a petition was filed under the provisions of Republic Act No. 26 by the above-named petitioner for the Reconstitution of Transfer Certificates of Title Nos. 16377 and 3550, covering Lot Nos. 1850 and 1851 of the Sta. Rosa Estate in the name of "The Legal Heirs of Exequiel Dia" and Juana Canog, respectively; that the owner's duplicate copy as well as the original of the said titles were allegedly destroyed during the Second World War, covering a parcel of land, more particularly described as follows:

"A parcel of land (Lot 1850 of the Sta. Rosa Estate, L.R.C. Record No. —), situated in the Barrio of Malitlit, Municipality of Sta. Rosa, Province of Laguna. Containing an area of five hundred ninety-one (591) square meters." and

"A parcel of land (Lot 1851 of the Sta. Rosa Estate, L.R.C. Record No. —), situated in the Barrio of Malitlit, Municipality of Sta. Rosa, Province of Laguna. Containing an area of four hundred fifty-three (453) square meters."

Therefore, you are hereby given notice that the petition is set for hearing on September 19, 1975 at 8:30 a.m., before this Court at Biñan, Laguna, on which date, time and place you should appear to file your claim or objection, if any you have thereto.

Witness, the Hon. Herminio A. Avendaño, Judge of said Court, this 10th day of April, 1975 at Biñan, Laguna.

(Sgd.) VIRGILIO T. MARAMBA

[21, 22] Senior Deputy Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF NEGROS
OCCIDENTAL
TWELFTH JUDICIAL DISTRICT

SPECIAL PROCEEDING No. 11213—In the Matter of the Declaration of Absence and Presumption of Death of LOLITA H. ALUNAN

EDUARDO H. ALUNAN, ARTURO H. ALUNAN, TERESITA A. DIMAVIBAS & GERARDO H. ALUNAN, JR.,
Petitioners

DECISIONS

This is a petition for the declaration of absence of Lolita H. Alunan filed by her brothers and sisters, namely, Eduardo H. Alunan, Arturo H. Alunan, Teresita A. Dimavibas and Gerardo H. Alunan, Jr. The petition having been in due form, the Court on December 19, 1973 issued an Order setting the petition for hearing on January 25, 1974 and at the same time ordering the publication of the notice of hearing for three consecutive weeks in "The "Scope", a newspaper of general circula-

tion in the province and copies be posted at proper places in accordance with the Rules of Court and the Clerk of Court was likewise directed to send copies of the notice of hearing to all known heirs, legatees, devisees and creditors of Lolita H. Alunan.

At the hearing, the petitioners submitted Exhibit "A", the affidavit of publication executed by the general manager of "The Scope", a weekly newspaper of general circulation in the City of Bacolod and in the province of Negros Occidental to the effect that the Order dated September 19, 1973 was published in its issues of December 24, 1973, December 31, 1973 and January 7, 1974; Exhibits "A-1", "A-2" and "A-3", clippings attached at the back of Exhibit "A"; Exhibit "B"; the Order of this Court dated December 19, 1973; Exhibits "B-1", "B-2" and "B-3", showing that copies of the Order were furnished counsel for the petitioners and Gliceria H. Lopez and that the Order had been duly posted at the bulletin board of the Court of First Instance and at the Bacolod Post Office; Exhibit "C", the letter of the Branch Clerk of Court to the Chief of Police of Silay City for the posting of the Order of this Court at the bulletin board of the municipal building of the City of Silay; Exhibit "D", the return of the chief of police to the effect that the said Order was duly posted at the City Hall and in the public market of Silay City; Exhibit "D-1", the letter of Branch Clerk of Court addressed to the chief of police for the posting of the said Order at the two most conspicuous places in the City of Silay; Exhibit "E", a testament of Sinforosa Jara Vda. de Hilado, to prove that Lolita Alunan thru her mother has some shares in the estate of the late Sinforosa Vda. de Hilado; Exhibit "F-1", the Project of Partition for the distribution of the estate of the late Sinforosa Vda. de Hilado, of which the person to be declared an absentee was one of the heirs of the late Emilia H. Alunan, the latter being the daughter of the late Sinforosa J. Vda. de Hilado.

The petitioners thru Teresita A. Dimavibas testified that her sister Lolita H. Alunan in 1949 when she was 12 years old left for Manila with a friend without their knowledge. That from the time Lolita H. Alunan left for Manila in 1949, up to the present, covering a period of 24 years, she has not been heard of and it is unknown whether or not Lolita H. Alunan still lives. Sometime in 1950, a friend of Lolita H. Alunan came back from Manila and gave the information that Lolita H. Alunan was then staying in a place which was flooded during one of the storms and that after the flood had subsided, she could no longer find her friend Lolita H. Alunan. That the herein petitioners have tried their level best to locate and find their sister Lolita H. Alunan in all possible way they could but their search was of no avail. That every possible means had been employed by

them, including the press and the radio, to locate the whereabouts of their sister Lolita H. Alunan, but all their efforts were fruitless. That the late Emilia Hilado Alunan, mother of herein petitioners, was the daughter of the late Sinforosa Jara Vda. de Hilado, who executed a Last Will and Testament marked as Exhibit "E" which provided among others that the heirs of Emilia Hilado Alunan, who are the petitioners herein, including Lolita H. Alunan, are among her heirs. That the testate estate of the late Sinforosa Jara Vda. de Hilado has been settled in Spec. Proc. No. 6169 of the Court of First Instance of Negros Occidental, for which a Project of Partition was executed and duly approved by the Court and among the heirs mentioned therein is Lolita H. Alunan. That the herein petitioners have already received some benefits arising out of the testate estate of their grandmother, Sinforosa Jara Vda. de Hilado, while the share of Lolita H. Alunan has been placed in the bank under the charge of the Executrix Gliceria H. Lopez and Lolita H. Alunan owns a portion of a parcel of land situated in Silay City with a probable value of P10,000.00. That inasmuch as the absentee Lolita H. Alunan could no longer be found and by now she must be dead, there is a need of a judicial declaration of her death so that her estate could be settled in accordance with law.

Considering that Lolita H. Alunan's whereabouts has been unknown up to the present and she has left some cash amount and real property valued at P10,000.00 and nobody could attend to the said properties of Lolita H. Alunan who has been absent and unheard of for a period of 24 years, in spite of all efforts that had been exerted by the petitioners, the Court is of the opinion and so holds that the petition has been properly substantiated by the petitioners. Inasmuch as there are some cash amount and a parcel of land belonging to the said Lolita H. Alunan, there is a need for appointing a representative, trustee or administrator for the absentee Lolita H. Alunan. Any person who should be appointed as a representative, trustee or administrator of the properties of Lolita H. Alunan shall take the necessary measure to safeguard the rights and interests of Lolita H. Alunan and shall not in one way or another dispose, alienate or encumber the properties without the approval of this Court and the cash money shall be deposited with the Philippine National Bank for safekeeping.

IN VIEW OF THE FOREGOING CONSIDERATIONS, Lolita H. Alunan having been absent and unheard of for a period of 24 years and her whereabouts is unknown, Lolita H. Alunan is hereby declared an absentee and presumed dead for all purposes, including the opening of her succession and in order to protect the rights and interests of the absentee, Teresita A. Dimavibas is hereby appointed as administratrix of the estate of the absentee Lolita H. Alunan without any bond.

This declaration of absence shall not take effect until six (6) months after its publication in a newspaper of general circulation in the province of Negros Occidental and in the *Official Gazette*.

So ORDERED.

Bacolod City, Philippines, March 14, 1974.

(Sgd.) ERNESTO S. TENGCO

[21, 22] Judge

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF NUEVA
VIZCAYA

FIRST JUDICIAL DISTRICT
BAYOMBONG

CADASTRAL CASE No. 21 GLRO CADASTRAL RECORD
1115 Lot No. 255, Bagabag Cadastre—In Re
Petition for the Reconstitution of the Original
and Owner's Duplicate of Original Certificate
of Title No. NA Decree No. 598107 Pursuant
to Republic Act No. 26, and the issuance of a
New Title.

PLACIDA A. DADOY, Petitioner

NOTICE OF HEARING

To: The Commissioner of Land Registration, Quezon City; the Director of Lands, the Director of Forestry and the Solicitor General, all of Manila; The Register of Deeds, the Provincial Governor; the Provincial Fiscal, the District Highway Engineer, all of Bayombong, Nueva Vizcaya; Atty. Vicente V. Duque, counsel for the petitioner, Bayombong, Nueva Vizcaya; Gregorio Sarenas, Alfredo Bascena, Oscar Honorio, and Catalino Ralutin, all of Tuao, Bagabag, Nueva Vizcaya; and to all whom it may concern:

Whereas, under the provision of Republic Act 26, a verified petition has been filed with this Court by Placida A. Dadoy of Tuao, Bagabag, Nueva Vizcaya, for the reconstitution of the original and owner's duplicate of Original Certificate of Title No. NA Decree No. 598107 having purchased the same from the registered owners Gregorio Sarena and Magdalena Conde and her ownership thereto being evidenced by a confirmation of previous conveyance and ownership executed by the registered owners, alleged to have been lost, covering a parcel of land now designated as Lot No. 255 of the Bagabag Cadastre " * * bounded on the NE. by Lot No. 256; on the SE. by the Provincial Road; on the SW., by Lot No. 254; and on the W. by the Tullag Creek * * * Containing an area of one thousand one hundred and three (1,103) square square meters more or less.

Wherefore, you are hereby given notice that the petitioner has been set for hearing on the 29th day of August, 1975 at 8:30 o'clock in the morning, before Branch II of the Court of First Instance of Nueva Vizcaya, at Bayombong, Nueva Vizcaya, on which date, time and place you should appear and file your claim or objection, if you have any, to said petition.

Witness, the Honorable Gabriel Dunuan, Judge of this Court this 16th day of April, 1975.

(Sgd.) TRANQUILINO V. RAMOS

[21, 23] Acting Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF
SURIGAO DEL NORTE
FIFTEENTH JUDICIAL DISTRICT
SURIGAO CITY

LR/CADASTRAL CASE No. 18 LRC GLRO REC. No.
1375 Lot No. 1694 Surigao Cadastre—In Re:
Petition for Reconstitution of Original Certificate of Title (N.A.)

PATRIA S. FELICIO, Petitioner

NOTICE OF HEARING

To: Patria S. Felicio, petitioner in the above entitled case, Messrs. Martillano Dias, Juan Gorgod, Modesto Arana, Adela Vda. de Ceruera, The Municipal Mayor—all of Anaoawon, Surigao del Norte, The Provincial Fiscal, The District Engineer and the Provincial Land Officer—all of Surigao City;

Whereas, a verified petition having been filed by the petitioner, praying for the reconstitution of original certificate of title in accordance with the provisions of Republic Act No. 26, alleging that the original certificate of title covering the above-mentioned Lot No. 1694, was either lost or destroyed during the last war, which lot is more particularly described as follows viz:

"A parcel of land, situated in the Bo. of Anaoawon, City of Surigao, island of Mindanao. Bounded on the SW., along lines 1-2-3-4-5-6-7, by Creek; on the N., along line 7-8, by Lot 1690; and along line 8-9, by Lot 1693; on the SE., along line 9-10, by Lot 1684; and on the NE, and SE., along lines 10-11-1, by Lot 1683, containing an area of seventy two thousand nine hundred seventy-seven (72,977) sq. m. more or less."

Wherefore, you are notified that the hearing of the petition will take place on September 5, 1975, at 8:00 o'clock A.M. in the Session Hall of the Court, Branch I, Surigao City.

Witness, the Honorable Oscar M. Herrera, Judge of this Court, this 5th day of May, 1975, at Surigao City, Philippines.

[21, 22] (Sgd.) MARIETTA E. EVIOTA
Clerk of Court

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF
ZAMBOANGA CITY
SIXTEENTH JUDICIAL DISTRICT

SPECIAL PROCEEDING No. 669—In Re: Judicial Reconstitution of Original Certificate of Title No. 1892.

MARIANO A. AGUSTIN, Petitioner.

NOTICE OF HEARING

To: Efren Barredo and Saturnina A. Falcasantos, all of Manicahan, Zamboanga City, and to all whom it may concern:

Whereas, a petition has been filed in this Court by Mariano A. Agustin thru counsel for the judicial reconstitution of Original Certificate of Title No. 1892 under Rep. Act No. 26, the location, area and boundaries of said property are as follows:

Location—Zamboanga City

Area—0,1400 hectares

Boundaries—

NW—by Lot No. 706

SE—by Lot No. 705 and

SW & NW—by Road

Wherefore, notice is hereby given that this petition has been set for hearing on Saturday, July 26, 1975, at 8:30 o'clock in the morning in the Court of First Instance of Zamboanga City, on which date, time and place you should appear and file your claim, if any you may have, why said petition should not be granted.

Witness, the Hon. Abdulwahid Bidin, District Judge, this 19th day of March, 1975.

[21, 22] (Sgd.) HAKIM S. ABDULWAHID
Clerk of Court

Komisyon sa Patalaan ng Lupain (LAND REGISTRATION COMMISSION)

[LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES COURT OF FIRST INSTANCE OF AGUSAN DEL NORTE AND BUTUAN CITY

Land Registration Case No. N-207
LRC Record No. N-44957

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer and the District Land Office No. X-2, Butuan City; the Municipal Mayor, the Municipal Council, the Heirs of Andres Vinatero, % Tarcelo Vinatero, Ciriaco Bonggot, the Heirs of Timoteo Curato, % Anunciacion Curato, Felisa Guirit, Francisca Nevaliza, Marcelino Secote, Clarita Tumarao, Diosdado Reyes and Natalia Fernandine, Cabadbaran, Agusan del Norte; Amparo Curato, Cabiltes Street, Cabadbaran, Agusan del Norte; V. Adalim and the Heirs of Fabian Monteroso, Poblacion, Cabadbaran, Agusan del Norte; and to all whom it may concern:

Whereas, an application has been presented to this Court by Plenio M. Atega, Cabiltes Street, Cabadbaran, Agusan del Norte, thru Atty. Omar A. Rivera, CVC Bldg., Juan Luna Street, Butuan City, to register and confirm his title to the following property:

A parcel of land (plan Psu-248290), situated in the Poblacion (Trade School), Municipality of Cabadbaran, Province of Agusan del Norte. Bounded on the NE. by properties of the Heirs of Andres Vinatero, V. Adalim (before) Ciriaco Bonggot (now), Felisa Guirit and the Heirs of Timoteo Curato; on the E. by F. Ojeda Street; on the SE. by properties of Francisca Nevaliza, Marcelino Secote, Clarita Tumarao, Diosdado Reyes, the Heirs of Timoteo Curato, the Heirs of Fabian Monteroso (before) Natalia B. Fernandine (now); and on the NW. by a road and Cabangasan Creek. Point "1" is S. 37 deg. 09 min. E., 746.26 meters from BLLM 1, Cabadbaran. Area twelve thousand thirty (12,030) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Agusan del Norte, at its session to be held in the City of Butuan, Philippines,

on the 29th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felix V. Barbers, Judge of said Court, the 10th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

[21,22]

REPUBLIC OF THE PHILIPPINES COURT OF FIRST INSTANCE OF BATAAN

Land Registration Case No. N-274
LRC Record No. N-47046

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. III-5, Balanga, Bataan; the Municipal Mayor, the Municipal Council, Andres B. Rodriguez, Teofista Macaibay, Marcial B. Tamoro, Cornelio Mendoza, Juliana Limao, Faustino Nava, Esperidion Carreon, Sergio Mendoza and Paula Batol, Bagac, Bataan; Elena A. Yambao, Wawa, Bagac, Bataan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Lucinio Roman, Pilar, Bataan, to register and confirm his title to the following property:

A parcel of land (plan Li-V-3973-D), situated in the Barrio of Wawa, Municipality of Bagac, Province of Bataan. Bounded on the NE., by Lot 387, a dry creek, Lot 356, a dry creek and Lot 355; on the SE., by Public Land; on the SW. by the China Sea; and on the NW., by Public Land.

Point "1" is S. 9 deg. 09 min. W., 1,584.33 meters from BLLM 7, Bagac, Cadastre. Area one hundred thirty six thousand seventy five (136,075) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bataan, at its session to be held in the Municipality of Balanga, Province of Bataan, Philippines, on the 30th day of June, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Abraham P. Vera, Judge of said Court, the 20th day of May, in the year 1975.

Issued at Quezon City, Philippines, this 21th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF BULACAN

Land Registration Case No. N-3310-M
LRC Record No. N-46569

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Malolos, Bulacan; the District Land Office No. III-6, Tabang, Guiguinto, Bulacan; the Municipal Mayor, the Municipal Council, Rural Bank of Plaridel, Plaridel, Bulacan; Paula Mariano % Maxima Fabian-Dofita, Benedicta de los Reyes, % Ismaela Dimagiba, Nicolasa Reyes % Paciencia Reyes-Clavio, Julio de Jesus, Tereso D. Dofita, Paciencia Reyes, Parulan, Plaridel, Bulacan; Superintendent, Angat River Irrigation System, Banga, Plaridel, Bulacan; Felix de Jesus, Graciano Magpayo, % Primo Magpayo, Francisco de la Paz, and Mauro Diaz, Bintog I, Plaridel, Bulacan; and to all whom it may concern:

Whereas, an application has been presented to this Court by Maxima Fabian-Dofita, Parulan, Plaridel, Bulacan; Sevilla Felipe-de la Paz and Rosita

Felipe Diaz, Bintog I, Plaridel, Bulacan, thru Atty. Florentino C. Reyes, Jr., 407 PMA Bldg., Sta. Cruz, Manila, to register and confirm their title to the following properties:

1. A parcel of land (Lot 2463, Cad-335, Plaridel Cadastre, plan Ap-03-000571), with the building and improvements thereon, situated in the Barrio of Parulan, Municipality of Plaridel, Province of Bulacan. Bounded on the NE. by property of Julio de Jesus; on the SE. by property of Paula Mariano; on the SW. by property of Nicolasa Reyes; and on the NW. by the Protection Dike. Point "1" is N. 68 deg. 27 min. E., 2,243.30 meters from BLLM 1, Cad-335, Plaridel Cadastre. Area five hundred eighty nine (589) square meters, more or less.

2. A parcel of land (Lot 2464, Cad-335, Plaridel Cadastre, plan Ap-03-000571), with the improvements thereon, situated in the Barrio of Parulan, Municipality of Plaridel, Province of Bulacan. Bounded on the NE. and NW. by property of Paciencia Reyes; on the SE. by the Protection Dike; and on the SW. by the property of Nicolasa Reyes. Point "1" is N. 67 deg. 17 min. E., 2,228.58 meters from BLLM 1, Cad-335, Plaridel Cadastre. Area one hundred twenty five (125) square meters, more or less.

3. A parcel of land (Lot 3025, Cad-335, Plaridel Cadastre, plan Ap-03-000572), with the improvements thereon, situated in the Barrio of Bintog I, Municipality of Plaridel, Province of Bulacan. Bounded on the NE. by property of Felix de Jesus; on the SE. by the National Road; on the SW. by property of Graciano Magpayo; and on the NW. by Lot 3026. Point "1" is N. 60 deg. 04 min. E., 3,008.27 meters from BLLM 1, Cad-335, Plaridel Cadastre. Area one hundred thirteen (113) square meters, more or less.

4. A parcel of land (Lot 3026, Cad-335, Plaridel Cadastre, plan Ap-03-000572), with the improvements thereon, situated in the Barrio of Bintog I, Municipality of Plaridel, Province of Bulacan. Bounded on the NE. by property of Felix de Jesus; on the SE. by Lot 3025; on the SW. by property of Graciano Magpayo; and on the NW. by property of Benedicta de los Reyes. Point "1" is N. 60 deg. 04 min. E., 3,008.27 meters from BLLM 1, Cad-335, Plaridel Cadastre. Area one thousand eight hundred seventy eight (1,878) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Bulacan, at its session to be held in the Municipality of Malolos, Province of Bulacan, Philippines, on the 28th day of August, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred

from contesting said application or any decree entered thereon.

Witness, the Hon. Jesus R. de Vega, Judge of said Court, the 25th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 21st day of April, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAMARINES
NORTE

Land Registration Case No. N-498
LRC Record No. N-46832

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. V-5, the Municipal Mayor, the Municipal Council, the Director, Camarines Norte Provincial Hospital, the Minister, Iglesia Ni Cristo, Pedro Racoma, Loreto Samudio, Priscila Ebona, Evaristo Velez, Jaime Ong, Josue de la Cruz, Manuel Charvet or Charret, Gregorio Lagumga, Clarissa Cu, the Heirs of Rufina Yaba, the Heirs of Adela Panotes, the Heirs of Gregorio Zabala, the Heirs of Nicolas Velez, Jose Ong, Soledad Pabico, Fernando Vinzons, the Heirs of Primitivo Flores, Manuel Lopez, Aurora Tan, Primitivo Lopez, Gregorio Lagumga, Pantaleon or Pantaleona Cabanela, Diego Liñan, Felipe Vinzons, Miguel Arenas and Francisco Barra, Daet, Camarines Norte; Virgilia Lucerna, Generoso Sureta, Jr., Lorna Bombase and Lorna Agot, Bagasbas Road, Daet, Camarines Norte; and to all whom it may concern:

Whereas, an application has been presented to this Court by the Heirs of Catalina Sofia Baldovino, namely: Jacquin G. Coreses, Sr., Nora B. Coreses Sureta, Ireneo B. Coreses, Pioquinto B. Coreses and Joaquin B. Coreses, Jr., Bagasbas Road, Daet, Camarines Norte; to register and confirm their title to the following properties:

Two (2) parcels of land, situated in the Barrio of Anghit, Municipality of Daet, Province of Ca-

marines Norte. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, plan Psu-171077). Bounded on the E., by property of Nicolas Velez; on the SE., by properties of Nicolas Velez, the Heirs of Gregorio Zabala, Diego Linan and Manuel Charvet or Charret; on the SW., by properties of Manuel Charvet or Charret, Gregorio Lagumga, Pantaleon or Pantaleona Cabanela, Bagasbas Road and by property of Francisco Barra; and on the NW., by properties of the Heirs of Adela Panotes and the Heirs of Rufino Yaba. Point "1" is N. 6 deg. 22 min. E., 759.03 meters from BLLM 1, Daet, Camarines Norte. Area twenty five thousand five hundred thirty-eight (25,538) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-171077). Bounded on the NE., by property of Aurora Tan; on the SE., by Bagasbas Road and by property of Gregorio Lagumga; on the SW., by properties of Juan Velez and Felipe Vinzons; and on the NW., by property of Felipe Vinzons, the Heirs of Primitivo Lopez and Manuel Lopez. Point "1" is N. 7 deg. 19 min. E., 871.34 meters from BLLM 1, Daet, Camarines Norte. Area twelve thousand nine hundred seventy-five (12,975) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Camarines Norte, at its session to be held in the Municipality of Daet, Province of Camarines Norte, Philippines, on the 10th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Domingo Medina Angeles, Judge of said Court, the 10th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAMARINES
SUR

Land Registration Case No. N-1546
LRC Record No. N-46898

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the District Land Office No. V-2, the City Mayor; the City Council, the City Fiscal, the City Treasurer and the City Engineer, Naga City; the Highway District Engineer, Baras, Canaman, Camarines Sur; Manuel J. Ventura Vda. de Apolinario, Igualdad St. Naga City; Dominador T. Almeda, Abella St, Naga City; Benito Lim, Naga City Heights Subdivision, Naga City; Angelica H. Irigo, 412 Igualdad St. Naga City; Caselda Vda. de Prado, District of Sabang, Naga City; Catalina M. Fulgueras and Teodoro J. Ventura, Igualdad St. (Barrio Abella) Naga City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Alipio V. Angeles, 412 Igualdad St. Naga City and Georgia A. Amparado, No. 2 Jacob Extension, Naga City, to register and confirm their title to the following properties:

Four (4) parcels of land with the building and improvements thereon, situated in the District of Sabang, City of Naga. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 3264-A, Cad-290, Naga Cadastre, plan Csd-14823), bounded on the NE., by property of Manuela Vda. de Apolinario; on the SE., by Lot 3267-B; on the SW., by Lot 3264-B; property of Alipio Angeles; and on the NW., by property of Caselda Vda. de Prado. Point "1" is S. 15 deg. 20 min. W., 42.08 meters. From BBM 3, Cad-290, Naga Cadastre. Area seventy one square meters and fifty square decimeters, (71.50) more or less.

2. A parcel of land (Lot 3264-B, Cad-290, Naga Cadastre, plan Csd-14823), bounded on the NE., by Lot 3264-A; property of Georgia Amparado; on the SE., by Lot 3267-A; on the SW., by property of Benito Lim; and on the NW., by property of Caselda Vda. de Prado. Point "1" is S. 14 deg. 59 min. W., 48.56 meters. From BBM 3, Cad-290, Naga Cadastre. Area seventy one square meters and fifty square decimeters (71.50) more or less.

3. A parcel of land (Lot 3267-A, Cad-290, Naga Cadastre plan Csd-14823), bounded on the NE., by Lot 3267-B; on the SE., by Igualdo Street; on the SW., by property of Benito Lim; and on the NW., by Lot 3264-B property of Alipio Angeles. Point "1" is S. 12 deg. 34 min. W., 42.08 meters from BBM 3, Cad-290, Naga Cadastre. Area six square meters and fifty square decimeters. (6.50) more or less.

4. A parcel of land (Lot 3267-B, Cad-290, Naga Cadastre-plan Csd-14823), bounded on the NE., by property of Manuela Vda. de Apolinario; on the SE., by Igualdo Street; on the SW., by Lot 3267-A; and on the NW., by Lot 3264-A, property of Georgia Amparado. Point "1" is S. 12 deg. 34 min. W., 42.08 meters. From BBM 3, Cad-290, Naga Cadastre. Area six square meters and fifty square decimeters (6.50) more or less.

You are hereby cited to appear before the Court of First Instance of Camarines Sur, at its session to be held in the City of Naga, Philippines, on the 1st day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness the Hon. Rafael Dela Cruz Judge of said Court, this 19th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF CAVITE

Land Registration Case No. N-1162
LRC Record No. N-46921

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, Trece Martires City;

the District Land Office No. IV-4, Rosario, Cavite; the Municipal Mayor and the Municipal Council, Bacoor, Cavite; Antonina Garde, Emilio Miranda, Conrado Asuncion, Camilo Catapia, Romualdo Catapia, Dionisio Asuncion, Casimiro Garde and Lucio Catapia, Salinas, Bacoor, Cavite; and the General Manager, Pan American Insurance Agencies Inc., Suite 402 Martinez Building, 378 Dasmariñas St., Manila; and to all whom it may concern:

Whereas, an application has been presented to this Court by Magdalena Miranda, Salinas, Bacoor, Cavite, assisted by Allas, Leynes & Associates, by Atty. Cipriano S. Allas, Suite 402, Martinez Building, 378 Dasmariñas St., Manila; to register and confirm her title to the following property:

A parcel of land (Lot 179, Psu-164199 (Sheet 14), plan Swo-04-000104), with the improvements thereon, situated in the Barrio of Salinas, Municipality of Bacoor, Province of Cavite. Bounded on the NE., by Lot 180; on the SE., by Lot 178; on the SW., by a Lane; and on the NW., by Lot 181. Point "1" is S. 8 deg. 48 min. W., 2038.82 meters from BLLM 1, Bacoor, Cavite. Area six hundred thirty one (631) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Cavite, at its session to be held in the Municipality of Bacoor, Province of Cavite, Philippines, on the 8th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Ricardo P. Tensuan, Judge of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF ILOILO

Land Registration Case No. N-748
LRC Record No. N-46233

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, EL-084929—11

Iptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. VI-1, Iloilo City; the Municipal Mayor, the Municipal Council, Ajuy, Iloilo; Lucena Herida, Apolonio Alicarte or Ricarte, Iluminada or Dominada Digayo, Jose Neffe, Andres Custodio, Poblacion, Ajuy, Iloilo; Andres Canindo, Davis, Ajuy, Iloilo; and to all whom it may concern:

Whereas, an application has been presented to this Court by Custodio Castro, Poblacion, Ajuy, Iloilo, thru Atty. Jonas A. Abellar, Iznart Street, Iloilo City, to register and confirm his title to the following property:

A parcel of land (plan Psu-151707), situated in the Barrio of Dawis (Sitio Busay), Municipality of Ajuy, Province of Iloilo. Bounded on the N., by property of Custodio Castro; on the NE., E., and SE., by Public Land (before) and property of Iluminada or Dominada Digayo (now); on the S., by Public Land (before) and properties of Iluminada or Dominada Digayo and Apolonio Alicarte or Ricarte; on the SW., by property of Jose Neffe; and on the NW., by property of Andres Canindo. Point "1" is N. 58 deg. 30 min. W., 1,279.56 meters from BLLM 2, Ajuy, Iloilo. Area two hundred ninety five thousand seven hundred sixty (295,760) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Iloilo, Branch I, at its session to be held in the City of Iloilo, Philippines, on the 10th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Sancho Y. Inserto, Judge of said Court, the 2nd day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF ILOILO

Land Registration Case No. N-760
LRC Record No. N-46908

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. VI-1, the City Mayor, the City Council, the City Fiscal, the City Engineer and the City Treasurer, Iloilo City; Alicia Hizon, Cristina Javellana, Augusto Jardiolin and Francisco Sandoval, Jaro, Iloilo City; and to all whom it may concern:

Whereas, an application has been presented to this Court by Serafin Jardiolin, Jaro, Iloilo City, to register and confirm his title to the following property:

A parcel of land (plan-Psu-06-000035), situated in the District of Jaro, City of Iloilo. Bounded on the NE., by a Salog River; on the SE., by property of Augusto Jardiolin; on the SW., by properties of Francisco Sandoval and Cristina Javellana; and on the NW., by a Public Land. Point "1" is S. 80 deg. 41 min. E., 402.68 meters from BBM 29, Iloilo Cadastre. Area six hundred five (605) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Iloilo, at its session to be held in the Session Hall, Branch III City of Iloilo, Philippines, on the 10th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Sancho Y. Inserto, Executive Judge of said Court, the 24th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. Bg-88
LRC Record No. N-46952

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the

Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. I-1, San Fernando, La Union; the Municipal Mayor, the Municipal Council, Bagulin, La Union; Simon or Simona Flores and Pedro Flores, San Fernando, La Union; and to all whom it may concern:

Whereas, an application has been presented to this Court by Timoteo Flores, Catbangan, San Fernando, La Union, thru Atty. Pedro O. Arciaga, San Fernando, La Union, to register and confirm his title to the following property:

A parcel of land (plan Psu-253546), situated in the Barrio of Ogaoan, Municipality of Bagulin, Province of La Union. Bounded on the N., by Public Land; on the NE., SE. and S., by a River; on the W., by property of Simona Flores de Bautista; and on the SW., by property of Pedro Flores. Point "1" is S. 71 deg. 08 min. W., 1,553.32 meters from BLM 1, Bagulin, La Union. Area forty two thousand six hundred thirty-four (42,634) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of Bauang, Province of La Union, Philippines, on the 10th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Romeo N. Firme, Judge of said Court, the 14th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF LA UNION

Land Registration Case No. N-1511
LRC Record No. N-46954

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visa-

yas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. I-1, the Municipal Mayor and the Municipal Council, San Fernando, La Union; Martin Balicha, Concepcion Ducusin, Josefina Gapasin, Bonifacio Casuga and Victoriano Jucutan, Sevilla, San Fernando, La Union; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses, Paulino S. Amigo & Lydia A. Amigo, San Fernando, La Union, to register and confirm their title to the following property:

A parcel of land (plan Psu-1-000688), situated in the Barrio de Sevilla, Municipality of San Fernando, Province of La Union. Bounded on the N., by a Private Road and property of Martin Balicha; on the E., by property of Josefina Gapasin; on the S., by property of Concepcion Ducusin; and on the W., by property of Bonifacio Casuga. Point "1" is S. 14 deg. 04 min. E., 1,300.18 meters from BLLM 3, San Fernando, La Union. Area three hundred one (301) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of La Union, at its session to be held in the Municipality of San Fernando, Province of La Union, Philippines, on the 10th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Jose P. Flores, Judge of said Court, the 10th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 5th day of May, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
 By: GREGORIO C. SEMBRANO
 [21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
 COURT OF FIRST INSTANCE OF LEYTE

Land Registration Case No. N-55
 LRC Record No. N-46738

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director

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tor, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Register of Deeds, the District Land Office No. VIII-1, Tacloban City; the Municipal Mayor, the Municipal Council, the Municipal Treasurer the Heirs of Segundo Kuizon, the Heirs of Vicente Bibera, Cristituto Navarroza, the Heirs of Cristituto Navarroza, Marina Carmano, Bato, Leyte; Bernardo Sabando, Juan Luna Street, Bato, Leyte; and the 2nd Leyte Highway Engineering District, Ormoc City; and to all whom it may concern:

Whereas, an application has been presented to this Court Fe L. Sabando, Juan Luna Street, Bato, Leyte, assisted by Atty. Renato M. Rances, Bato, Leyte, to register and confirm her title to the following property:

A parcel of land (plan Psu-254248), situated in the Poblacion, Municipality of Bato, Province of Leyte. Bounded on the N., by Juan Luna Street; on the E., by property of the Heirs of Vicente Bibera; on the S., by property of the Heirs of Segundo Kuizon; and on the SW., by property of Cristituto Navarroza. Point "1" is S. 10 deg. 32 min. W., 117.81 meters, from BLLM 1, Bato, Leyte. Area ninety-three (93) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Leyte, at its session to be held in the Municipality of Baybay, Province of Leyte, Philippines, on the 26th day of September, 1975, at 8:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Bernardo Ll. Salas, Judge of said Court, the 13th day of February, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
 By: GREGORIO C. SEMBRANO
 [21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF PAMPANGA

Cadastral Case No. N-2
LRC Cad. Record No. N-404

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Public Works, Manila; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Highway District Engineer, the Public Works District Engineer, the District Land Office No. III-1, San Fernando, Pampanga; the Municipal Mayor, the Municipal Council, Romulo Aguas, Vicente Aguas, Sexmoan, Pampanga; the Municipal Mayor, the Municipal Council, Lubao, Pampanga; the Municipal Mayor, the Municipal Council, Macabebe, Pampanga; Elena Aguilar, Archbishop of Manila,

Hipolita Baltazar, Simeon Baltazar, Dorotea Bartolo, Heirs of Valentin Bartolo, Sebastian Bernardo, Sebastian Lorente, Apolonio Lorente, Maxima Vda. de Blas, Felixberto Bungue, Benito Bungay, Ricardo Bungue, Bienvenido Cabais, the Minister U.C.C.D. Chapel, Chapel (Protestant), Angel Cortez, Mariano Domitila Eulalio Cortez, Celestino Cortez, Mariano Cortez, Galicano Dalay, Marcelino Flores, Jose Garcia, Lorenzo Garcia, Primo Garcia, Venancio Garcia, Primitivo Guezo, Victor Gonzales, Heirs of Irene Guevarra, Jesus Guevarra, Leonardo Guevarra,

Lorenzo Guevarra, Nicolas Guevarra, Pedro Guevarra, Toribia Guevarra, Felix Laxa, Rosario Santos Juat, Arsenia Juat, Benjamin Lacsina, Leonida Vda. de Laki, Benita Laxa, Canuto Laxa, Marcelino Laxa, Genoveva de Limpin, Cornelia Turla, Francisco Luna, Bernardino Manansala, Heirs of Mariano Macario, Deogracias Manansala, Leonardo Manes, Cipriano Romero, Felino Mangalindan, Juan Mangalindan, Juana Balo, Heirs of Lorenzo Mangalindan, Lorenzo Mangalindan, Miguel Mangalindan, Simona Mangalindan, Mariano Manliclic, Maria Mariano, Jacinto Montemayor,

Maria Montemayor, Leonida Mercado, Heirs of Cesario Ocampo, Maria Ocampo, Miguel de Ocampo, Heirs of Toribia Pantig, Rosendo Peña, Basilio Perez, Amelia Pinlac, Arcadio Pinlac, Beatriz Pinlac, Cipriano Pinlac, Emilio Pinlac, Romana Pinlac, Tomas Pinlac, Maria Santiago, Cipriano Romero, Andrea Rivera, Aquilino Rivera, Domingo Rivera, Santiago Rivera, Sulpicio Reyes, Alfredo Romero, Cipriano L. Romero, Cipriano Romero, Leonardo Manez, Juan Salao, Mercedes Pascual, Merce-

des Pascual, Eusebio Salenga, Jesus Salenga, Maria Santiago, Heirs of Alberto Santos, Irene Santos, Jose Villegas, Ramon Santos, Maxima T. Vda. de Suing, Ceferino Tamayo, Maria Tamayo, Amado Tolentino, Juana Tolentino,

Maximo Tolentino, Donato Tolentino, Felimon Rivera, Patricio Tolentino, Heirs of Pedro Tolentino, Beatriz Torres, Benedicto B. Torres, Ciriaco Torres, Teodoro Torres, Miguel P. Turla, Narciso Turla, Osmundo Turla, Vivencio Turla, Victoria Vda. de Turla, Vivencio Turla, Antonina Turla, Jose Turla, Jose de Blas Villegas, Juan Mangalindan, Batang 2nd, Sexmoan, Pampanga; Eleno Aguilar, Geronimo Angeles, Heirs of Francisco Arce, Francisco de Arce, Heirs of Francisco Baltazar, Francisco Baltazar, Leonardo Peña, Juan Baltazar, Heirs of Silvino Pangalinan, Pedro Baltazar,

Miguel Baltazar, Jacoba Limpin, Nicolas Baltazar, Crispina Laesamana, Venancio Baltazar, Antonio Damian, Heirs of Simeon Bamba, Maxima Vda. de Blas, Modesto Cabrera, Isaac Calma, Serafin Carlos, Simeon Carlos, Benito Dalay, Antonio Damian, Sergio Dagal, Antero Guanzon, Juan Lagman, Leonida Vda. de Laki, Marcelino Salenga, Dionisio Laxa, Crispina Laxamana, Nicolas Baltazar, Maxima Vda. de Blas, Juana Laxamana, Pasencia de Laxamana, Jose Laxamana, Sergio Mercado Laxamana, Emilio Magpayo, Rafael Licup, Meliton Y. Limpin Licup, Marcelino Limin, Andres Limpin, Ambrosio Limpin, Cosme Limpin,

Ernestino Limpin, Jacoba Limpin, Pilar Limpin, Ambrocio de Luna, Ambrocio Luna, Eustaquia Torres, Maria Torres, Emilio Magpayo, Nicanor Magpayo, Nicolas Magpayo, Evarista Magpayo, Francisco Mangalindan, Feliciano Mangalindan, Juan Mangalindan, Maxima Mangalindan, Feliciano Mangalindan, Cesario Mangila, Martina Peña, Jesus Mangila, Juan Manuel, Heirs of Tomas Mangila, Estanislao Marucut, Angel Mercado, Lorenzo Mercado Y Sunglao, Lorenzo S. Mercado, Emilio Magpayo, Emilio Nagtuloy, Osmundo Mercado, Segundo L. Mercado, Segundo Mercado, Heirs of Francisco Arce, Brigido Vda. de Mesa,

Leonida Mercado, Silvino Pangülinan, Leonida Mercado & Bros., Lorenzo B. Mercado, Angel Naluz, Valentin Navarro, Heirs of Valentin Navarro, Cesar Pantig, Amado Pecson, Eulalia Paras, Leonardo Peña, Juan Tuncab, Ludovics Pinpin, Heirs of Valentin Razon, Lazaro Torres, Maria Torres, Catalino Vicente, Nicolas Baltazar, Sergio Laxamana, Arce Mercado, Segundo Limpin, Venancio Baltazar, Simeon Saldaña, Heirs of Teofila Vda. de Sadaña, Adriano Sapnu, Simon Saldaña, Maria Vda. de Serrano, Martin Torres, Lazaro Torres, Melecio Velasco, Catalino Vicente, Faustino de la Cruz y Vicente, San Antonio, Sexmoan, Pampanga

Marcelo Aguilar, Miguel Baltazar, Jacoba Limpin, Brigido Bamba, Isaac Banal, Virginia Banal, Crispino Laxa, Alfredo Banting, Eduardo Bamba, Jose Borlongan, Maxima Vda. de Blas, Simon Caladiao, Victoria Caladiao, Lydia Chivi, Simeon Carlos, Tomas Coronel, Marcelina Cruz, Candida Perez, Marcelo de la Cruz, Heirs of Jose Dagal, Canoto Dalay, Necasio Dalay, Heirs of Catalino Hensen, Eusebio Isip, Agapito Lacap, Canuto Lacsa, Estanislao Marucut, Canuto Laxa, Heirs of Sergio Laxamana, Bernardino Layco, Leonardi Layco, Heirs of Pascual Layco, Antonio Velasco Limin, Antonio Limin,

Emiliano Limin, Heirs of Felipe Limin, Felix Limin, Heirs of Hipolito Limin, Heirs of Juan Limin, Juana Limin, Heirs of Pedro Limin, Benito Limpin, Cosme Limpin, Domingo Lobo, Jose Lobo, Heirs of Estanislao Luna, Simona Magtuloy, Adoracion Aguilar Nanabgun, Demetrio Manalang, Angel Manalang, Victorio Maninang, Simeon Mangalindan, Posidio Mangalindan, Buenaventura Manliclic, Antonio Marucut, Heirs of Cipriano Marucut, Estanislao Marucut, Jose Marucut, Segundo L. Mercado, Heirs of Juan Napilisan, Pedro Navarro, Potenciano Pastor, Pedro Peña, Candido Perez, Marcelina Cruz,

Marciano Pinlac, Victor Regala, Simeon Carlos, Marcelina Cruz, Marcelo de la Cruz, Heirs of Ciriaco Roncal, Eliseo Roncal, Ciriaco Roncal, Jacinta Roncal, Benedicto Sapnu, Mariano Sapnu, Pablo Sapnu, Ambrocio Sibug, Diosdado Sibug, Eduardo Sibug, Feliciano Sibug, Pedro Sibug, Florentino Sibug, Heirs of Feliciano Sibug, Marcelino Sibug, Agustin Simbul, Arsenio Simbul, Celestino Simbul, Jacinto Simbul, Lucia Simbul, Maximiano Simbul, Pablo Simbul, Fidel Suing, Gregorio Suing, Pablo Mallari, Ventura Mallari, Francisco Mallari, Juana Vda. de Mangalindan, Benjamin Mallari,

Miguel Pantig, Gino Suing, Jose Suing, Moises Suing, Leopoldo Suing, Maria Suing, Mariano Suing, Teofilo Suing, Alipio Suñga, Benjamir Suñga, Cornelio Suñga, Potenciano Suñga, Martin Suñga, Maximo Suñga, Benito Suñga, Jose Tolentino, Victoria Trinidad, Aquilino Turla, Antonio Velasco, Carlos Velasco, Malusac, Sexmoan, Pampanga; Honorio Aguillos, the Parish Priest, Roman Catholic Church, Bernabe Baltazar, Mizafora Vda. de Baltazar, Simeon Baltazar, Pablo Bartolo, Irene Bautista, Dionisio Bernalte, Maxima Santos Vda. de Blas, Simeon Blas, Maxima Santos,

Juana Dulay, Juan Mangalindan, Cornelio Dionisio, Juan Dionisio, Ricardo Dionisio, Juan Faguerra, Catalino Fabian, Flores Fabian, Federico Guevarra, Juan Guevarra, Pedro Guevarra, Diosdado de Guzman, Maria Sy Jueco, Pablo Mallari, Ventura Mallari, Francisco Mallari

Juana Vda. de Mangalindan, Benjamin Mallari, Eulogio Santos, Anacleto Mangalindan, Amado Santos, Carlos Santos, Carlos Pinlac, Dominador Puno, Leoncia Aquino Vda. de Santos, Juana Vda. de Mangalindan, Manuel Jueco, Alberto Santos, Heirs of Alberto Santos, Urbano Santos, Leoncia Tamayo,

Pedro Tamayo, Efren Villanueva and Diosdado Villanueva, Mabuanbuan, Sexmoan, Pampanga; Pedro Alipio, Jose Baltazar, Pablo Banting, Juana de Bongco, Juana A. Bongco, Maxima Vda. de Blas, Andres Coronel, Roman Coronel, Benito de la Cruz, Jose de la Cruz, Josefa Vda. de Cruz, Marcelina Cruz, Candida Perez, Marciano Cunanan, Diosdado David, Toribia de Dios, Paciano Santos, Emilio Gagui, Fermina Gagui, Florencio Gagui, Juan de Guzman, Jose Hashen, Pedro Juaguin, Beatriz Guaguin, Canuto Lacsa, Demetria Lacsa, Dionisio Laxamana, Antonio V. Limin, Cornelio Limin, Heirs of Clara Limin,

Domingo Limin, Heirs of Felipe Limin, Felix Limin, Heirs of Tomas Limin, Andres Limpin, Heirs of Apolinario Limpin, Heirs of Apolonio Limpin, Honorata Vda. de Limpin, Teodorico Limpin, Mateo Macaspac, Evaristo Magpayo, Felomino Magpayo, Francisco Magpayo, Juan Magpayo, Jose Magpayo, Mateo Magpayo, Leoncio Magpayo, Mamerto Magpayo, Maria Magpayo, Paulino Magpayo, Pedro Magpayo, Raymundo Magpayo, Margarita Magtuloy, Ursula Magpayo, Pedro Magtuloy, Teodola Magtuloy, Maximiano Mallari, Demetrio Maninang, Simplicio Maninang, Benedicto Marucut, Carmen Marucut,

Dionisio Marucut, Heirs of Mariano Marucut, Heirs of Miguel Medrano, Amparo Vda. de Mercado, Francisco Mercado, Heirs of Luis Mercado, Macario Mercado, Tomas Mercado, Heirs of Tomas Mercado, Honorata Mercado, Alyo Navarro, Simeon Navarro, Valentin Navarro, Heirs of Valentin Navarro, Teodora M. Peña, Candido Perez, Ambrosio Pinlac, Jose Jashen, Ismael Lapuz, Juan Solo, Heirs of Ciriaco Roncal, Felix Roncal, Alejandro Saldaña, Demetrio Saldaña, Carlos Santos, Dionisio Santos, Ernesto Santos, Heirs of Eulogio D. Santos, Eulogio Santos, Felix Santos, Marciano Santos, Ponciano Santos, Toribio de Dios,

Pedro F. Santos, Pedro Santos, Raul Santos, Teodora D. Santos, Teodora Santos, Paciano Santos, Heirs of Teodora D. Santos, Ambrocio Sibug, Diosdado Sibug, Pedro Sibug, Feliciano Sibug, Juan Solo, Moises Suing, Teodora Trinidad, Gregorio Unlas, Quintin Unlas, Vicente Unlas, Calixtro Villacorta, Jose Villegas, Lorenzo Yambao and Ricardo Yambao, Sabitanan, Sexmoan, Pampanga; Avelino Baltazar, Domingo Baltazar, Eusebio Baltazar, Jose M. Baltazar, Jose To. Baltazar, Maxima Vda. de Blas,

Fermina Gagui, Florencio Gagui, Marucia Gagui, Ceriaco Ramirez, Marieta Dungao, Bartolome Lacap,

Ismael Lapuz, Leocadio Layco, Juan Limen, Pedro Limen, Eugenio Magpayo, Teodoro Magpayo, Pedro Magpayo, Pedro Mallari, Nizario Marcelino, Heirs of Valentin Matitu, Valentin Navarro, Cesar Peña, Leonardo Peña, Bienvenido Peña, Toribio Pinlac, Venancio Pinlac, Julio Pring, Ireneo Santos, Maxima Santos Vda. de Blas, Cipriano L. Romero, Jose Bashen, Simeon Blas, Heirs of Urbano Santos, Irene Santos, Teodoro Sandico, Manuel Santos & Bros. & Sisters, Mariano Santos, Pedro Santos, Bonifacio Sibug and Vicente Villongco, Batang 1st, Sexmoan, Pampanga; Maxima Vda. de Blas, Heirs of Juan Garcia,

Justo Garcia, Heirs of Tranquilino Laxa, Eugenio Magpayo, Ladislao Magpayo, Francisco Mangalindan, Jesus Mangalindan, Lucia Mercado, Epifania Pantig, Cesario Mangila, Heirs of Tomas Lacsa, Ambrocio de Luna, Adriano Sapnu and Heirs of Julian Cabrera, Sta. Monica, Sexmoan, Pampanga; Heirs of Sergio Lacamana, Mangaso, Sexmoan, Pampanga; Francisco Mercado, Hagonoy, Bulacan; Victorio Mercado, Heirs of Lorenzo Mercado, Emilio Panlagui, Valentin Navarro and Heirs of Felix Tanayo, San Nicolas 1st, Sexmoan, Pampanga; Maria Consolacion Vda. de Serrano, Guagua, Pampanga; Lorenzo S. Mercado,

Heirs of Lorenzo Mercado and Tomas Tuazon, San Nicolas, Sexmoan, Pampanga; Maximo Navarro & Bros. Teofilo Suing, Sr., Teofilo Suing and Casimiro Turla, San Nicolas 2nd, Sexmoan, Pampanga; Candido Perez, Heirs of Alberto Santos, Antonina Vicencio, Juana Vda. de Mangalindan, Alberto Santos, Leoncia Aquino Vda. de Santos, Irene Santos, Manuel Santos, Manuel Santos & Brothers & Sisters, Raul Santos, Urbano Santos and Carmen Vda. de Villongco, Malabon, Rizal; Juana Suing, San Esteban, Macabebe, Pampanga; Lorenzo Torres, Catalino Vicente, Juana Torres, Sta. Lucia, Sexmoan, Pampanga; Heirs of Martin Torres, Betis, Guagua, Pampanga; Heirs of Silvino Pangilinan, Sto. Niño, Guagua, Pampanga; Heirs of Alberto Santos, San Pedro, Sexmoan, Pampanga; Severo Roncal, Sto. Tomas, Sexmoan, Pampanga; and Gregorio Suing, Concepcion, Malabon, Rizal; and to all whom it may concern:

Whereas, a petition has been presented to this Court by the Director of Lands, praying that the titles to the following described lands or the various parcels thereof, be settled and adjudicated:

A parcel of land, with the buildings and improvements thereon, containing an area of 3,157.7606 hectares, more or less, divided into 959 lots, situated in the Municipality of Sexmoan, Prov-

ince of Pampanga, the same being designated as Sexmoan Cadastre, Cad. 306-D, Case 2. Bounded on the N., by the Sexmoan Cadastre, Cad. 306-D, Case 1 and the Dalan Vapor River; on the NE., by the Sexmoan Cadastre, Cad. 306-D, Case 1, Municipality of Macabebe, the Sexmoan River and the Atasan River; on the E., by the Municipality of Macabebe and the Atasan River; on the SE., by Municipality of Macabebe and the Estaka River and the Manila Bay; on the SW., by the Manila Bay; and on the NW., by the Lubao Cadastre, Cad. 273, Cases 6 and 7, the Pampanga River, Bangcal Pugad River, Sapang Bangcal, Malabug River, Sapang Pugad, Timas River, Mapanique River, Sapang Mayapap, Sapang Mapala, the Dalan Vapor River, Sapang Batusan, Sanda River, Don Tomas River, Lubao River and the Principal River.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held in the Municipality of Guagua, Province of Pampanga, Philippines, on the 29th day of September, 1975, at 8:30 o'clock in the forenoon, to present such claims as you may have to said lands, or any portion thereon, and to present evidence if any you have, in support of such claims.

And unless you appear at the time and place aforesaid, your default will be recorded and the titles to the lands will be adjudicated and determined in accordance with the prayer of the petition and upon the evidence before the Court, and you will be forever barred from contesting such petition or any decree entered thereon.

Witness, the Hon. Felipe V. Buencamino, Presiding Judge of said Court, the 18th day of January, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest:

GREGORIO BILOG, JR.

Commissioner of Land Registration

By: GREGORIO C. SEMBRANO

Acting Chief, Docket Division

[21, 22]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF PAMPANGA

Land Registration Case No. G-9

LRC Record No. N-46956

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office

No. III-1, San Fernando, Pampanga, the Municipal Mayor, the Municipal Council; Sexmoan, Pampanga; the Heirs of Calixto Baltazar, the Heirs of Bonifacio Regala, Meliton Licup, the Heirs of Apolonia Manlilic, the Heirs of Ignacio Salenga, Praxedes Laxa and Fabiana Limin, San Nicolas 1st, Sexmoan, Pampanga; and to all whom it may concern:

Whereas, an application has been presented to this Court by Juan de Luna, San Nicolas 1st, Sexmoan, Pampanga, assisted by Atty. Armando M. Laki, Guagua, Pampanga, to register and confirm his title to the following property:

A parcel of land (Lot 266 Cad-306-D Sexmoan Cadastre plan Ap-03-001033), situated in the Barrio of San Nicolas, Municipality of Sexmoan, Province of Pampanga. Bounded on the NE., by property of Fabiana Limin; on the SE., by property of Praxedes Laxa, and on the SW., and NW., by the Municipal Road. Point "1" is N. 3 deg. 13 min. W., 556.70 meters from BLLM 1, Cad-306-D, Sexmoan Cadastre. Area one hundred seventy-five (175) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pampanga, at its session to be held at Gusaling Katarungan, Cervantes Subdivision, Municipality of Guagua, Province of Pampanga, Philippines, on the 11th day of September, 1975, at 9:00 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Felipe V. Buencamino, Judge Presiding, Branch II of the said Court, the 10th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF
PANGASINAN

Land Registration Case No. T-712
LRC Record No. N-46808

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands,
the Director of Public Works, Manila; the

Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, Lingayen, Pangasinan; the District Land Office No. 1-7, Dagupan City; the 2nd Pangasinan Highway District Engineer, Rosales, Pangasinan; the Municipal Mayor, the Municipal Council, Tayug, Pangasinan; Felisa R. Montero, Eusebio de la Cruz, Alejo Serrano, Arcadia Rodriguez, Simeon de la Cruz, and Paula Rodriguez, Barrio Agno, Tayug, Pangasinan; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses, Fidencio S. Montero and Felisa Rodico, Barrio Agno, Tayug, Pangasinan, thru Atty. Federico R. Vinluan, San Nicolas, Pangasinan, to register and confirm their title to the following property:

A parcel of land (Lot 1, plan Psu-254328) situated in the Barrio of Agno, Municipality of Tayug, Province of Pangasinan. Bounded on the NE., by property of Simeon de la Cruz (before) Eusebio de la Cruz (now); on the SE., by property of Alejo Serrano (before) Fidencio S. Montero (now); on the SW., by Lot 2 property of Arcadia Rodriguez; and on the NW., by the Quezon Boulevard Street. Point "1" is S. 58 deg. 45 min. W., 527.04 meters from BLLM 1, Tayug, Pangasinan. Area eight hundred fifty (850) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Pangasinan, at its session to be held in the Municipality of Tayug, Province of Pangasinan, Philippines, on the 12th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Pedro D. Ofiana, Judge of said Court, the 7th day of April, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest: GREGORIO BILOG, JR.
Commissioner of Land Registration
By: GREGORIO C. SEMBRANO
[21, 22] Acting Chief, Docket Division

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. C-239
LRC Record No. N-46036

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-1, 757 Gen. Solano, San Miguel, Manila; the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor, the Municipal Council, Malabon, Rizal; Anastacia Oliveros, Potenciano Ortega, Emiliano Vicencio, Paulina Fajardo Vda. de Santiago, the Manager, Yu Soc & Company, Sanciango St., Tonsuya, Malabon, Rizal; Quirino Gabriel and Fructuosa Ramos, Tonsuya, Malabon, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by Avelina Ortega, Aurora Ortega, Jovita Ortega, Tonsuya, Malabon, Rizal; assisted by Atty. Manuel T. de Guia, 209 Goiti Building, Plaza Lacson, Sta. Cruz, Manila, to register and confirm their to the following properties:

Two (2) parcels of land situated in the Barrio of Tonsuya, Municipality of Malabon, Province of Rizal. The boundaries and areas of said parcels are as follows:

1. A parcel of land (Lot 1, Psu-04-000911). Bounded on the N. by property of Yu Soc & Co.; on the NE. by Sanciango Street; on the S. by Lot 2; and on the W. by property of Emiliano Vicencio. Point "1" is N. 56 deg. 56 min. E., 607.74 meters from BLLM 1, Malabon, Rizal. Area eighty-nine (89) square meters, more or less.

2. A parcel of land (Lot 2, plan Psu-04-000911). Bounded on the N. by Lot 1; on the NE. by Sanciango Street; on the S. by an open canal and property of Paulina Fajardo Vda. de Santiago, and on the W. by property of Emiliano Vicencio. Point "1" is N. 57 deg. 52 min. E., 603.02 meters from BLLM 1, Malabon, Rizal. Area one hundred seventy-seven (177) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the 2nd Floor, Genato Bldg., 417 Rizal Avenue Extension, corner 12th Avenue, Grace Park, City of Caloocan, Philippines, on the 5th day of September, 1975, at 2:00 o'clock in the afternoon, to show cause, if any you have, why the prayer of

said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Bernardo P. Pardo, Presiding Judge of Branch XXXIV of said Court, the 31st day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of March, in the year 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

[21, 22]

REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF RIZAL

Land Registration Case No. N-8756
LRC Record No. N-46881

NOTICE OF INITIAL HEARING

To the Solicitor General, the Director of Lands, the Director of Public Works, Manila; the Director, Bureau of Forest Development, Visayas Avenue, Diliman, Quezon City; the Hon. Secretary, Department of Agrarian Reform, Elliptical Road, Diliman, Quezon City; the Provincial Governor, the Provincial Fiscal, the Provincial Treasurer, the Provincial Engineer, the Public Works District Engineer, the Highway District Engineer, the District Land Office No. IV-I, 757 Gen. Solano, San Miguel, Manila; the General Manager, Laguna Lake Development Authority, Pasig, Rizal; the Municipal Mayor the Municipal Council, Eduardo Donato, Fernando Donato, Honesto Cerda, the Heirs of Pedro Mesa % Mauricio Aran and Carlos Vital, Binangonan, Rizal; Teofilo Cerda, Alberto V. Ramos and Ester D. Aralar, Mambog, Binangonan, Rizal; and to all whom it may concern:

Whereas, an application has been presented to this Court by the spouses Gregorio A. Rellera and Leticia P. Tiu, United Paranaque Subdivision Phase No. 4, South Super Highway, Parañaque, Rizal, assisted by Canilao, Lingad and Cenidoza by Atty. Ildefonso Gondra Cenidoza, 8 K-4th St. Kamuning, Quezon City, to register and confirm their title to the following property:

A parcel of land (Lot 2 plan Psu-04-000875, Sheet 2), with the improvements thereon, situated in the Barrio of Mambog, Municipality of Binangonan, Province of Rizal. Bounded on the NW., and NE., by property of Honesto Cerda; on the E. and SE. by property of Eduardo Donato and Fernando Donato; and on the W., by property of the Heirs

of Pedro Mesa. Point "1" is N. 57 deg. 00 min. E., 2,881.75 meters from BLLM 2, Binangonan, Rizal. Area three thousand three hundred (3,300) square meters, more or less.

You are hereby cited to appear before the Court of First Instance of Rizal, at its session to be held at the 5th Floor Margarita Building, J. P. Rizal Avenue, Corner Cardona Street, Municipality of Makati, Province of Rizal, Philippines, on the 9th day of September, 1975, at 8:30 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said applica-

tion will be taken as confessed and you will be forever barred from contesting said application or any decree entered thereon.

Witness, the Hon. Florelia Castro-Bartolome, Judge of said Court, the 19th day of March, in the year 1975.

Issued at Quezon City, Philippines, this 28th day of April, 1975.

Attest:

GREGORIO BILOG, JR.
Commissioner of Land Registration

By: GREGORIO C. SEMBRANO
Acting Chief, Docket Division

[21, 22]

Kawanihan ng mga Lupain (BUREAU OF LANDS)

[SECOND PUBLICATION]

SALE OF PUBLIC LANDS

Notice is hereby given that the Bureau of Lands at Baler, Quezon, will sell to the highest qualified bidder at ten o'clock (10:00) A.M. on July 23, 1975, the tract of land covered by Sales Application No. (III-10)124 of GABRIEL AMPONGET

Location: Maria Aurora, Quezon

Description: Lot No. 167, Pls-267

Area: 3.0000 hectares

Appraised value of land: ₱100.00 per hectare

Appraised value of improvements: ₱850.00—
house, coconuts, coffee, etc.

All bids must be sealed and submitted to the Bureau of Lands at Baler, Quezon, on or before the hour and date stated above and plainly marked

“Bid for the land described in Sales Application No. (III-10)124”. Bids must be accompanied with cash, money order, treasury warrant, certified check, cashier's check or manager's check for a sum equivalent to 10% of the bid. When a bid is withdrawn after the highest bidder is determined, the corresponding deposit therefor shall be forfeited to the Government. No bid shall be less than the appraised value of the land. The right is reserved to reject any or all bids.

The successful bidder if other than the applicant must reimburse the latter of the value of the improvements and the expenses for the publication of the notice of auction.

Manila, April 15, 1975.

RAMON N. CASANOVA
Director of Lands

[21-26]

Lungsod ng Batangas
(BATANGAS CITY)**[SECOND PUBLICATION]**

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF PUBLIC HIGHWAYS
REGION IV-A SOUTHERN TAGALOG
OFFICE OF THE HIGHWAY DISTRICT ENGINEER
BATANGAS CITY

ADVERTISEMENT

Sealed bids, on the form to be furnished by this Office of the District Engineer, Batangas City will be received until 10:00 a.m. on the 27th day of June, 1975 and then publicly opened for the construction of Lemery-Tagaytay Road, Batangas.

Pre-qualification statements should be submitted in person at the Office of the District Engineer, Batangas City on or before the following deadline:

Pre C-1 June 20, 1975
Pre C-2 June 20, 1975

Financing Requirements:

Credit Line P360,000.00

Full particulars relative to bid bond, Department Order No. 201 (Except paragraph VIII-5, Immediate Rebidding) series of 1958, its amendments Department Orders No. 317 and 521, series of 1961) other prerequisite conditions, Plans and Specifications and the Proposal Book may be obtained at the Office mentioned above by any prospective bidders upon request. Prospective bidders should submit their license from the Philippine Licensing Board.

(Sgd.) ALFREDO P. TORRES
Highway District Engineer

[21-23]

Bayan ng Bauan
(MUNICIPALITY OF BAUAN)

[LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES
MUNICIPALITY OF BAUAN
BATANGAS

OFFICE OF THE TREASURER

May 21, 1975

ADVERTISEMENT

Sealed Bids on the Form to be furnished by this Office will be received at the Office of the Municipal Treasurer, Bauan, Batangas, until 10:00 a.m. on June 10, 1975 and then publicly opened for the Concretion of Sta. Cruz, Mangobos and Orosa Streets, Poblacion, Bauan, Batangas.

Pre-Qualifications Statement should be submitted in person at the Records Section, Office of the Municipal Treasurer, Bauan, Batangas on or before the following deadlines:

Financing Requirements:

Cash P15,000.00—Pre-C-1 June 6, 1975
Credit Line 30,000.00—Pre-C-2 June 6, 1975

For full particulars relative to bid bond, Dept. Order No. 201 (except paragraph VIII-5, Immediate Rebidding) Series of 1958 its amendments (Department Orders Nos 317, 521 series of 1961 and 36 series of 1966), Financing Requirements, other prerequisites, conditions, plans, program of works and specifications and the proposal booklet maybe obtained at the Committee on Pre-Qualifications and Awards of this office by any prospective bidder upon request.

[21, 22]

(Sgd.) ANGEL M. ENDAYA
OIC-Municipal Treasurer

Lupon ng Pamumuhunan
(BOARD OF INVESTMENTS)

[LAST PUBLICATION]

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
BOARD OF INVESTMENTS
ORTIGAS BUILDING, ORTIGAS AVENUE
PASIG, RIZAL, PHILIPPINES D-721

NOTICE

Notice is hereby given that pursuant to Section 4 of Republic Act No. 5455, WILLIAM TO, a citizen of the Republic of China, with office address at 1323 Soler Street, Manila, has filed with the Board of Investments an application for a license to engage in the wholesale of general merchandise and hardware. The business is capitalized at P239,604.43, Philippine currency, and is actually a continuation of an existing business licensed under the name of his deceased father, To Siao.

This application shall be considered as approved and such approval shall be effective only after fifteen (15) days from the last date of publication and upon submission of proofs of publication of this notice and compliance with the other requirements of R.A. 5455 and its implementing rules and regulations. This is, further, subject to the condition that he shall submit an annual report of his business activities (using the prescribed BOI Form No. 5032) on or before March 31 of each year.

April 29, 1975, Pasig, Rizal, Philippines.

(Sgd.) ROBERTO C. CONCEPCION JR.
[20-22] Board Secretary

PRICE LIST OF PUBLIC DOCUMENTS
(Now available at the Government Printing Office)

PHILIPPINE REPORTS

	Government Printing Office	By Mail		Government Printing Office	By Mail
Volume 75	P47.00	P49.85	Volume IX—Containing Republic Acts Nos. 973-1201 (Paper Cover)	P11.00	P12.50
Volume 81	43.30	46.80	The above three volumes of Public Laws & Resolutions (Republic Acts Nos. 674- 1201) (Cloth bound)	47.70	50.00
Volume 82	43.30	46.80	Volume X—Containing Republic Acts Nos. 1202-1411 (Paper cover)	11.00	12.50
Volume 84	47.00	49.80	Volume XI—Containing Republic Acts Nos. 1412-1612 (Paper cover)	11.00	12.50
Volume 85	47.00	49.80	Volume XII—Containing Republic Acts Nos. 1613-2049 (Paper cover)	11.50	12.50
Volume 86	36.10	39.05	The three above volumes of Public Laws & Resolutions (Republic Acts Nos. 1202- 2049 combined in one book) (Cloth bound)	49.00	53.20
Volume 87	47.00	49.80	Volume XIII—Containing Republic Acts Nos. 2050-2093 (Paper cover)	7.25	9.85
Volume 88	47.00	49.80	Volume XIV—Containing Republic Acts Nos. 2094-2616 (Paper cover)	18.15	19.50
Volume 89	47.00	49.80	Volume XV—Containing Republic Acts Nos. 2617-3020 (Paper cover)	18.25	19.50
Volume 90	54.20	57.40	The above three volumes of Public Laws & Resolutions (Republic Acts Nos. 2030- 3020) combined in one book, (Cloth bound)	70.35	74.80
Volume 91	55.90	58.65	Volume XVI—Containing Republic Acts Nos. 3451-3511 (Paper cover)	27.20	29.65
Volume 92	57.75	60.70	Volume XVII—Containing Republic Acts Nos. 3021-3450 (Paper cover)	5.20	6.50
Volume 93	67.15	69.15	Volume XVIII—Containing Republic Acts Nos. 3513 to 3846 (Paper cover)	20.15	23.15
Volume 94	67.15	69.15	The above three volumes of Public Laws & Resolutions (Republic Acts Nos. 3021- 3845) (Cloth Cover)	79.40	83.70
Volume 95	59.55	61.75	Volume XIX—Containing Republic Acts Nos. 3847-4172 (Paper cover)	18.80	21.10
Volume 96	60.65	62.85	Volume XX—Containing Republic Acts Nos. 4173-4641 (Paper cover)	37.95	40.60
Volume 97	64.95	67.10			
Volume 98	64.95	67.10			
Volume 99	67.15	69.45			
Volume 100	67.15	69.45			
Volume 101	71.55	73.75			
Volume 102	64.95	67.10			
Volume 103	68.70	70.40			
Volume 104	68.70	70.40			
Volume 105	77.15	79.20			
Volume 106	77.75	81.50			
Volume 107	79.40	81.80			
Volume 108	83.10	86.30			
Volume 109	83.10	86.30			
Volume 110	83.10	86.30			
Volume 111	83.90	86.75			
Volume 112	83.90	86.75			
Volume 113	83.90	86.75			
Volume 114	83.90	86.75			

LAWS AND RESOLUTIONS

Volume I—Containing Republic Acts Nos. 1-89 (Paper cover) ..	P13.40	P15.00	Volume XVI—Containing Republic Acts Nos. 3451-3511 (Paper cover)	27.20	29.65
Volume II—Containing Republic Acts Nos. 90-197 (Paper cover) ..	15.20	17.00	Volume XVII—Containing Republic Acts Nos. 3021-3450 (Paper cover)	5.20	6.50
The above three Volumes of Public Laws & Resolutions (Republic Acts Nos. 1-342) combined in one book, (Cloth bound)			Volume XVIII—Containing Republic Acts Nos. 3513 to 3846 (Paper cover)	20.15	23.15
Volume IV—Containing Republic Acts Nos. 343-421 (Paper cover) ..	24.75	26.80	The above three volumes of Public Laws & Resolutions (Republic Acts Nos. 3021- 3845) (Cloth Cover)	79.40	83.70
Volume VI—Containing Republic Acts Nos. 591-673 (Paper cover) ..	7.45	9.20	Volume XIX—Containing Republic Acts Nos. 3847-4172 (Paper cover)	18.80	21.10
Volume VII—Containing Republic Acts Nos. 674-833 (Paper cover) ..	9.95	12.50	Volume XX—Containing Republic Acts Nos. 4173-4641 (Paper cover)	37.95	40.60
Volume VIII—Containing Republic Acts Nos. 834-972 (Paper cover) ..	11.00	12.50			

	Government Printing Office	By Mail		Government Printing Office	By Mail
CODE RULES					
Civil Code of the Philippines (Cloth bound)	P18.15	P19.50	Salary Data of the Philippines	P8.05	9.20
Civil Code of the Philippines (Paper cover)	9.25	10.55	Forestry Administrative Order II (Revised)	2.70	3.85
Code of Crime (Paper cover) ..			Volume Table For Round Tim- ber—Bulletin No. 12		
Revised Penal Code (Paper cover)	5.15	7.50	Logarithmic Table (Extract from American Practical Navigator) ..	9.10	10.40
National Internal Revenue Code (As amended up to September 1969) (Paper cover)	19.40	25.20	REPUBLIC ACTS		
National Internal Revenue Code (Paper cover—Old)	16.30	18.60	No. 409 "Revised Charter of the City of Manila"	1.60	2.85
Revenue Regulations No. V-8-A Collection at Source of Income Tax on Wages	2.00	2.45	No. 509 "Price Administration Board"40	.60
Election Code of 1971, Republic Act No. 6388	3.90	5.90	No. 594 "Amendment to certain sections of the National Internal Revenue Code relating to priv- ilege taxes on business"75	1.05
Rules of Court in the Philippines Effective January 1, 1964	14.45	17.40	No. 602 "An Act to establish a Minimum Wage Law & other purposes"75	1.05
Rules of Practice in the Philippines Patent Office in Patents	6.40	8.15	No. 637 "Amendments to Patent Law"75	1.05
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